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Vol. XII MARCH, 1932 No. 4

STATE APPOINTMENT AND REMOVAL OF LOCAL LAW ENFORCEMENT OFFICERS

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The weakness of a centralized system of legislation with a decentralized system of enforcement is apparent. The law which is enacted by the state legislature represents the average opinion of the whole state. The governor is the chief executive officer of the state, and it is his duty to see that the laws are faithfully executed. Though in theory there is this centralization of law enforcement, in fact the sheriffs and other local officers are, in most states, the real executives, no actual authority to enforce law being vested in the governor or other state officials. The efficiency of enforcement often bears a direct relation to the public sentiment of the community. The enforcement of the prohibition law, for example, has brought out the evils of this situation with great force. Governor Neff of Texas, in his message to the legislature of that state in 1923, said: "There is no such thing as local self-government in regard to violation of law. . . Every crime that is committed is a crime against the state. The state enacts laws, not the counties."[1]

One of the means suggested for improving conditions of law enforcement is that of state supervision and control over local law enforcement officers. Administrative control by the state over local law enforcement officers is in keeping with the principle that such officers are not servants or agents of the local units but that their duties are of a nature affecting the state as a whole. Their appointment has been placed under the control of the local units by the state as a convenient method of exercising a function of government. Thus it has been held that police officers "act for the state in its sovereign capacity" and that the police department

[1] *Texas Senate Journal*, 1923, pp. 21–23.

is an "arm of the state."[2] Constables and sheriffs have been held to be officers of the state rather than of the city or county.[3]

Various types and degrees of supervision over local law enforcement officers are found in the United States.[4] It is the purpose of this study to outline the constitutional and statutory provisions for such supervision, and by a study of the court decisions the limitations upon the exercise of such power will be determined. The actual use or exercise of a power is more significant than a constitutional or statutory provision, and wherever possible information has been secured from various state supervisory officers as to the actual use of the power.

Appointment

During the colonial period most local officers were appointed by state authorities. This was also true in most states immediately following the Revolution. But in all states admitted to the Union after 1800 there was a strong tendency to make local officers elective, especially sheriffs and coroners. Thus in 1821 the sheriffs and other county officers in New York were made elective, and by 1850 in all states the system of government was well decentralized.[5]

The appointment of local law enforcement officers by state authorities is the most effective form of supervision; it is, however, the least used. The primary object of this device of supervision is to secure the selection of a capable personnel. In some states the power to appoint local law enforcement officers has been vested in the governor, usually with the confirmation of the senate; and in a few states this power is exercised by the state legislature.

Rhode Island is the only state in which the sheriffs are not locally elected. In this state the general assembly, in Grand Committee, appoints a sheriff for each county for a term of three years.[6]

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[2]*Tzatzken* v. *City of Detroit*, 198 N.W. (Mich.) 214 (1924). Also see: Dillon, J. F., *Municipal Corporations*, secs. 97–99; McQuillin, E., *The Law of Municipal Corporations*, secs. 193, 203.

[3]*State ex rel. Attorney General* v. *McKee*, 69 Mo. 504 (1879).

[4]For a classification of the devices of supervision over local officers see Wallace, S. C., *State Administrative Supervision Over Cities in the United States*, pp. 57–58.

[5]For a discussion of this change see Fairlee, J. A., and Kneier, C. M., *County Government and Administration*, ch. 2–3.

[6]*Gen. Laws of R. I.*, 1923, p. 187, sec. 5.

The governor, with the advice and consent of the senate, appoints the prosecuting attorneys in Florida and New Jersey.[7] They are appointed for a term of four years in Florida, and for five years in New Jersey.[8]

Coroners are appointed by the governor, with the advice and consent of the senate, in Maine and Maryland.[9] Medical examiners, who perform the duties of coroners, are appointed by the governor, with confirmation by the senate or council, in Massachusetts, New Hampshire, and Rhode Island. These examiners must be able and discreet men and learned in the science of medicine. The terms of office are five years in New Hampshire, six in Rhode Island, and seven in Massachusetts. The Rhode Island statute further provides that the attorney general of the state has authority to direct an inquest to be held even though the medical examiner reports that the death was not caused by the act or neglect of some other person.[10]

Only seven states make any provision for the appointment of local police by state authorities. New York, Michigan, Illinois, Indiana, and Ohio formerly provided that police commissioners be appointed by state authorities; but they are now locally selected in these states.[11]

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[7]Recommendations have been made for the appointment of prosecuting attorneys by the governor in other states. See *County Government in Virginia*, prepared by the New York Bureau of Municipal Research, ch. 8.

[8]*Const. of Fla.*, Art. V, secs. 15, 27; *Const. of N. J.*, Art. VII, sec. 2, part 4. While these are the only states which provide for state appointment of prosecuting attorneys, the courts have held them to be state officers. *State* v. *Romero*, 125 Pac. (N.M.) 617 (1912); *Speer* v. *Wood*, 193 S.W. (Ark.) 785 (1917); *Fellows v. N. Y.*, 8 Hun. (N.Y.) 484 (1876); *State* v. *Lucas County*, 28 Ohio Cir. Ct., 170 (1906); *Tesh* v. *Comm.*, 4 Dana (Ky.) 522 (1856). A number of states pay a part of their salaries. In Illinois they receive an annual salary of $400 from the state, and in Kentucky and Texas they receive $500 annually from the state. In Montana the state pays one-half of the salaries of prosecuting attorneys; and in New Mexico the state pays a part of their salary, with the provision that the counties make certain contributions. *Ill. Rev. Stat.*, 1927, ch. 53; *Const. of Ky.*, sec. 98; *Const. of Tex.*, Art. V, sec. 21; *Const. of Mont.*, Art. VIII, sec. 19; *Laws of N. M.*,

The governor, with the confirmation of the senate, appoints a board of police commissioners for the city of Lewiston, Maine.

1921, pp. 308–309.

[9]*Const. of Me.*, Art. V, sec. 8; *Ann. Code of Md.*, Vol. 1, Art. XXII.

[10]*Gen. Laws of Mass.*, 1921, ch. 38; *Pub. Laws of N. H.*, 1926, Vol. 2, ch. 376; *Gen. Laws of R. I.*, 1923, secs. 6380–6414.

[11]Graper, E. D., *American Police Administration*, p. 38.

The board consists of three members who must be chosen from the two major political parties. Their term of office is six years. In New Hampshire, the governor, with the consent of the council, appoints a police commission of three persons for each of the cities of Manchester, Nashua, Portsmouth, Somersworth, Dover, Exeter, Laconia, and Berlin. Each commissioner is appointed for three years, one retiring each year. It is their duty to appoint such police officers, constables, and superior officers as they deem necessary. In Rhode Island a police commissioner is appointed by the governor and senate for the city of Woonsocket. The term of office is four years.[12]

The governor of Massachusetts appoints a single police commissioner for the city of Boston and a board of police commissioners for the city of Fall River. The term of the Boston commissioners is five years and that of the Fall River commissioner three. In each instance they have authority to establish and organize the police system and make all needful regulations for its efficiency. In Boston the selection of all patrolmen is under the jurisdiction of the state civil service commission. In Maryland, a police commissioner is appointed by the governor for the city of Baltimore. His term of office is six years.[13] In the first class cities of Missouri the governor, with the concurrence of the senate, appoints a board of three police commissioners. However, in those cities having between two and three hundred thousand population, the governor appoints only two of the commissioners. The mayor in these cities is ex-officio the third commissioner and also the president of the board. The term of office for all members is three years.[14]

A somewhat unique system prevails in Alabama. In all cities having a population of between twenty-five and fifty thousand the state senate elects a board of public safety of three members.

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[12]*Laws of Me.*, 1917, ch. 37; *Laws of N. H.*, 1913, ch. 148; *Acts of R. I.*, 1913, ch. 993.

[13]*Mass. Acts*, 1894, ch. 351; *ibid.*, 1906, ch. 291; *Laws of Md.*, 1920, ch. 559. During the 1930 session of the legislature there was an act before the House of the Commonwealth of Massachusetts to abolish the board of police commissioners for the city of Fall River, and transfer its powers and duties to local officers appointed in accordance with the charter of the city. *House Bill* No. 160, 1930.

[14]*Mo. Rev. Stat.*, 1919, secs. 7864, 8913–8914.

Their term of office is four years, and if a vacancy occurs in the board, it is filled by an appointee of the governor.[15]

The city law enforcement officers appointed by state authorities have longer terms of office than those locally selected. There is also a tendency on the part of state authorities to reappoint the same incumbent for two or more terms. This has been true with respect to the appointment of police commissioners in New Hampshire and Maryland. In Baltimore, the present police commissioner was appointed June 1, 1920, and has served continuously since that time.[16]

A peculiar local situation at some earlier time seems to account for the provision for state control in most cases. But even though that situation or emergency no longer exists, in those few cases, there has been no return to local selection. Governor Ritchie of Maryland in referring to state appointment of the police commissioner of Baltimore states that: "This provision was made a great many years ago for reasons which have now passed into history, but the law has never been changed, because it has worked excellently. I think the people prefer it to any other method of appointment, and, in fact, they so voted on referendum eight or ten years ago."[17] Governor Gardiner of Maine, in referring to the appointment of a police commission for Lewiston, has said: "This law was passed as an emergency. My understanding is that the administration of police matters in that city caused a substantial number of citizens to request this legislation. The city of Lewiston is as a rule Democratic, and the state Republican. There have been efforts to repeal this law and representations that the principle of home rule was being violated, but I doubt if any change is ever made."[18]

State appointment of local police does not seem to have been as satisfactory in Missouri as in other states. This method of control has been in effect for several years and at practically every session of the legislature an effort is made to change this to local control, but so far without success. It is believed, however, that as soon as the cities demonstrate that their local gov-

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[15]*Ala. Laws*, 1915, Act. No. 29.

[16]This information, where the authority is not given, has been secured by correspondence with various state officials.

[17]Letter from Albert C. Ritchie, Governor of Maryland.

[18]Letter from Wm. T. Gardiner, Governor of Maine.

ernment can be efficient, the legislature will turn the control of the police department over to the cities.[19]

Removal

Closely associated with the power of appointment is the power to remove local law enforcement officers. Provision for the removal of local officers appeared as early as 1846 in the Constitution of New York, but the modern conception of this form of supervision began with the constitutional provision of that state in 1894.[20] The power of removal is one of the more drastic forms of supervision exercised by the state. The purpose of this device is to terminate the service of local officials whose work is unsatisfactory. The causes for removal differ in the various states but include such terms as non-feasance, malfeasance, misfeasance, immorality, incompetency, and official misconduct.

Removal by the Governor

One group of states provides for the removal by the governor of local law enforcement officers.[21] Provision is usually made for a public hearing before such removal is made. The constitution of New York gives the governor authority to remove sheriffs and prosecuting attorneys, by giving the officer to be removed a copy of the charges against him and an opportunity of being heard in his defense. A similar provision is found in the Wisconsin constitution, in which state it applies also to coroners and constables. By statute, the governor of New York is given authority to remove coroners.[22]

The power of the governor to remove such officers has been used very sparingly in New York. An example was in 1926, when Governor Smith removed the district attorney and sheriff of Saratoga County on charges of allowing wide open gambling

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[19]See *Missouri Crime Survey*, pp. 24–55.

[20]Mathews, J. M., *Principles of American State Administration*, ch. 15.

[21]A number of states provide for the removal of all county and city officers by state authorities, but only local law enforcement officers will be referred to in this discussion. For the removal of local officers in general, see: Kneier, C. M., "Some Legal Aspects of the Governor's Power to Remove Local Officers," 17 *Va. Law Rev.* (Feb., 1931). For cases of the removal of mayors by the governor of the state see: Edwards, W. H., "Governor Donahey and the Ohio Mayors," 13 *Nat. Mun. Rev.* 350 (1924).

[22]*Const. of N. Y.*, Art. X, sec. 1; *Const. of Wis.*, Art. VI, sec. 4; *N. Y. Pub. Officers Law*, sec. 35.

in Saratoga Springs. A more recent example is the removal by Governor Roosevelt of the sheriff of New York County on a charge of mishandling public funds. Six officers have been removed in Wisconsin during the past five years.[23]

The statutes of Michigan provide that the governor may remove sheriffs, coroners, prosecuting attorneys, constables, and police when he is satisfied that such officers have been guilty of official misconduct or neglect of duty. The officer to be removed must be served with a copy of the charges and given a chance to be heard. And any officer who has been removed cannot be elected or appointed to the same office for a period of three years.[24] The statutes further provide that the governor may direct the attorney general or prosecuting attorney to conduct an inquiry into the charges made. The courts have held, however, that this does not preclude the governor from conducting an inquiry himself on the charges made against an officer.[25]

In Minnesota the governor, after hearing, may remove any sheriff, prosecuting attorney, or coroner whenever it appears to him by competent evidence that such officer has been guilty of misfeasance in the performance of his official duties. By statute, habitual drunkenness is made a cause for removal.[26] During the past five years only one officer has been removed out of twenty-eight charges considered.

The governor of North Dakota may remove from office any sheriff, coroner, prosecuting attorney, chief of police, or other police officer when it has been made to appear to him by competent evidence that such officer has been guilty of malfeasance, neglect of duties, habitual drunkenness, or gross incompetency. Upon the filing of complaint the governor serves a copy of the charges upon the accused, together with a notice of the time and place of taking testimony, which is before a special commission appointed by the governor. After the taking of testimony the governor sets a date for the hearing and the accused is entitled to be heard in person or by counsel. The governor may suspend an officer pending the

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[23] *Am. Year Book*, 1926, p. 182.

[24] *Comp. Laws of Mich.*, 1922, ch. 22.

[25] *Groesbeck* v. *Bairley*, 176 N.W. (Mich.) 403 (1920).

[26] *Gen. Stat. of Minn.*, 1927, secs. 6954, 6558. See also Anderson, Wm., and Lehman, B. E., *County Government in Minnesota*, pp. 16–17; Fairlie, J. A., "Judicial and Administrative Control of County Officers," 28 *Mich. Law Rev.* 250 (Jan., 1930).

hearing. Any officer removed is entitled to an appeal from the decision of the governor to any district court of the state.[27]

In Kentucky, any sheriff, constable, or other peace officer who is guilty of neglect of duty may be removed from office by the governor. Among the enumerated offenses constituting neglect of duty are gross misconduct in office, bribery, immorality, or habitual drunkenness. The proceedings for removal are based upon written charges signed by the governor and supported by the affidavits of at least two persons. The officer to be removed has a right to appear in person before the governor and be represented by counsel. Any officer removed has a right to appeal from the order of removal by filing a copy of the charges in the office of the clerk of the court of appeals.[28] Under the ouster law in Kentucky only one law enforcement officer has been removed, and in this case the court did not uphold the order of removal.[29]

Removal by the Governor and Legislature

In Maine, Pennsylvania, Florida, Arkansas, Oregon, and Washington the state legislature or governor's council has a part in the removal of local law enforcement officers. In Maine, whenever the governor and council upon complaint, due notice, and hearing find that a sheriff is not faithfully or efficiently performing any duty imposed upon him by law, the governor may remove such sheriff from office, and with the advice and consent of the council appoint another in his place.[30]

The constitution of Pennsylvania provides that the governor may remove sheriffs, prosecuting attorneys, coroners and constables for reasonable cause, upon the address of two-thirds of the senate. The officer to be removed must be given due notice and a chance to be heard.[31] The governor of Florida may suspend

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[27]*Comp. Laws of N. D., Supp.* 1913–1925, secs. 685–705.

[28]*Acts of Ky.*, 1926, ch. 142.

[29]See *Holiday* v. *Fields, infra.*

[30]*Const. of Me.*, Art. IX; sec. 10. The courts of Maine have held that the governor has a voice with the council in determining whether there has been unfaithfulness or inefficiency in the case of sheriffs, upon whom the governor must depend largely for the faithful execution of the laws. Upon the finding by the governor and the council, acting as a special tribunal, the governor may remove the sheriff without securing the advice and consent of the council. *Opinion of the Justices*, 133 Atl. (Me.) 265 (1926); *Fellows* v. *Eastman*, 136 Atl. (Me.) 810 (1927).

[31]*Const. of Penn.*, Art. VI, sec. 4. The courts in Pennsylvania have declared that a constitutional direction as to how a thing is to be done is

sheriffs, prosecuting attorneys, coroners, and constables for certain enumerated causes, including malfeasance, misfeasance, or neglect of duty. Upon the advice and consent of the senate, the governor may remove such officers. Failure to enforce the prohibition laws has, by statute, been made a ground for removal.[32]

In Arkansas and Oregon prosecuting attorneys may be removed by the governor, upon a joint resolution by two-thirds of the legislative assembly. The removal of prosecuting attorneys in Washington is completely in the hands of the legislature. After such officer has been served with a copy of the charges against him and given an opportunity of being heard, he may be removed from office by a three-fourths vote of the legislative assembly. Among the enumerated causes for removal are incompetence, malfeasance, or corruption in office.[33] Because of the rather cumbersome procedure very few removals have been made in any of the states where the legislature has to approve the removal.

Removal Through the Courts[34]

In another group of states removal of local law enforcement officers is made through the courts, but by proceedings instituted by state authorities. In Maryland prosecuting attorneys may be removed for "incompetency, willful neglect of duty, or misdemeanor in office." Proceedings are begun upon recommendation of the attorney general and removal may be either by a court of law of competent jurisdiction or by the state senate.[35]

In Iowa it is the duty of the governor to direct the attorney general to prosecute an action in the district court to remove any sheriff, prosecuting attorney, coroner, police officer, or constable who refuses or neglects to enforce laws of the state. The governor of Nebraska may direct the attorney general or special attorney to institute and prosecute *quo warranto* proceedings in the supreme court against any prosecuting attorney, sheriff, police

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exclusive and prohibitory of any other mode which the legislature may deem better or more convenient. The only method of removal is that provided by the constitution. *In re Bowen*, 74 Atl. (Pa.) 203 (1909).

[32]*Const. of Fla.*, Art. IV, sec. 15; *Gen. Laws of Fla.*, 1927, sec. 7634.

[33]*Const. of Ark.*, Art. XV, sec. 3; *Const. of Ore.*, Art. VII, sec. 20; *Const. of Wash.*, Art. IV, sec. 9.

[34]Provision is made in several states for the removal of local law enforcement officers by judicial proceedings, but they will not be considered, except, insofar as the proceedings are instituted by state authorities.

[35]*Const. of Md.*, Art. V, sec. 7.

officer, or police commissioner who has failed or refused to enforce any law of the state. Pending the proceedings, the governor may suspend the officer and make a temporary appointment.[36]

The first successful ouster suit under the *quo warranto* statute in Nebraska was in 1912, at which time the police commissioners of the city of Omaha were removed.[37] And the supreme court of the state recently upheld the governor's order of removal of the sheriff of Kimball County.[38] There have been very few removals under this law, but during the last year the attorney general has called in several law enforcement officials for hearings as to whether or not ouster proceedings should be brought against them. But with the exception of the sheriff of Kimball County they were let go after a warning. The attorney general recently had a survey made of crime conditions in Omaha, apparently for the purpose of bringing ouster proceedings against the police commissioner of that city. Before the survey was completed, however, a new commissioner was given control of the police department.[39]

In Alabama, sheriffs, coroners, and constables may be removed through the courts upon proceedings being instituted by state authorities. The governor directs the attorney general or solicitor to institute such proceedings which are in the nature of an information addressed to the court before which the trial is to be held. The information specifies the offense and gives a statement of the facts. The court issues an order to the accused, setting the date for him to appear.[40]

The statutes of Kansas provide that any sheriff, prosecuting attorney, coroner, constable, or police officer may be ousted from office for misconduct in office or for failure to perform the duties of his office. This action is brought usually by the attorney general, and, upon five days' notice being given, the supreme court may temporarily suspend the officer pending trial.[41]

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[36]*Code of Iowa*, 1927, ch. 50; *Laws of Nebr.*, 1923, ch. 116.

[37]*State* v. *Ryan*, 92 Nebr. 636 (1912).

[38]It is interesting to note that the sheriff who was removed was reelected to the same office by an overwhelming majority.

[39]Omaha is governed by the commission form of government.

[40]*Ala. Code*, 1928, secs. 4497–4521; *Const. of Ala.*, secs. 173–174.

[41]*Rev. Stat. of Kans.*, secs. 60, 1609–1624. The prosecuting attorney in Kansas is not obliged to institute proceedings for the punishment of offenders against the prohibition law upon his own knowledge, but, whenever notified by an officer or other person of any violation of that law, it is his duty

In Oklahoma any sheriff, prosecuting attorney, police officer, coroner, or constable may be removed for certain causes. The grounds for removal include willful neglect of duty, corruption in office, and habitual drunkenness. When directed by the governor, or upon notice in writing, verified by at least five reputable citizens of the county, the attorney general institutes proceedings in the supreme court of the state or in the district court of the county to remove the accused from office. If the attorney general believes that the gambling or liquor laws of the state are being violated, he may institute ouster proceedings on his own initiative.[42]

It seems that this law has been of some value in Oklahoma in doing away with corruption in local government. One writer has stated that "This law has not by any means been a dead letter. Many county and municipal officials have been removed, and a number have resigned under threat that the law might be applied."[43]

In Tennessee the governor has power to direct the attorney general, or the district, county, or city attorney to institute ouster proceedings against any sheriff, prosecuting attorney, coroner, constable, or police officer who neglects to perform any duty imposed upon him or becomes intoxicated in any public place. The officer to be removed must be served with a copy of the charges and given twenty days to answer them.[44] The judge of the district court in Texas may remove any sheriff, prosecuting attorney, constable, or coroner for any official misconduct, or intoxication. If the removal is by *quo warranto* proceedings, they must be instituted by the attorney general.[45]

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to diligently exercise all authority conferred upon him for the purpose of punishing the offender. *State* v. *Trinkle*, 78 Pac. (Kans.) 854 (1904).

[42]*Comp. State. of Okla.*, 1921, Vol. 1, ch. 8, Art. 4. The courts in Oklahoma have held that the fact that like duties in the enforcement of the liquor laws rest upon other officers than the sheriff, in no way reduces the responsibilities of the sheriff under the law for the faithful discharge of the duties incumbent upon him. "No degree of remissness in other officers could excuse the sheriff of remissness in the discharge of his duties." *Freas* v. *State*, 235 Pac. (Okla.) 227 (1925).

[43]Pate, James E., "Central Control Over Municipalities," 8 *Southwestern Pol. and Soc. Sci. Quar.*, p. 228.

[44]*Ann. Code of Tenn.*, secs. 1135a1, 1135a7. The Supreme Court of Tennessee has said that "proceedings under the ouster act should never be brought unless there is a clear case of official dereliction. This is a very drastic statute and should not be invoked except in plain cases that can be certainly proved." *State* v. *Bush*, 114 Tenn. 229 (1918).

[45]*Vernon's Ann. Stat. of Tex.*, Vol. 17, secs. 5790–5797.

Sheriffs, prosecuting attorneys, coroners, and constables in Wyoming may be removed for misconduct or malfeasance in office. The governor directs the county attorney or attorney general to institute and prosecute an action in the district court. The governor may suspend the accused from office during his trial.[46]

The proceedings for the removal of officers in South Dakota are in the nature of special proceedings and may be brought in the name of the state by the state's attorney or the attorney general upon their own relation; but they must be so brought when directed by the governor. The local law enforcement officers that may be removed in this manner are sheriffs, coroners, prosecuting attorneys, constables, and police. When, however, any prosecuting attorney, sheriff, or police officer neglects or refuses to enforce the prohibition laws, the governor, after notice and hearing, has power to remove such officer. Two sheriffs have been removed during the operation of this law.[47]

Only a few cases of state removal of city law enforcement officers are found. The governor of New York may remove a police commissioner of New York City when in his opinion the public welfare is jeopardized.[48] And the few police commissioners in Maine, Massachusetts, Maryland, Missouri, New Hampshire, and Rhode Island that are appointed by the governor may be removed by him for misconduct in office.[49] The courts have usually held in these cases that when the governor becomes fully satisfied of the official misconduct of any police commissioner, he may remove such commissioner and that his power to remove is not subject to any restraint or limitation.[50]

Removal for Failure to Enforce the Prohibition Law

In some states the statutes providing for state removal of local officers place emphasis upon failure to enforce the prohibition laws. Thus in New Hampshire, if the attorney general, upon investigation, finds that any prosecuting attorney has been guilty of "any corrupt practices or willful maladministration" in respect

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[46]*Comp. Stat. of Wyo.*, 1920, ch. 99.

[47]*S. D. Rev. Code*, 1919, secs. 7011–7016.

[48] *Laws of N. Y.*, 1901, ch. 6, sec. 270.

[49]See citations under appointment of police commissioners in these states, *supra.*

[50]*State* v. *Crandall*, 190 S. W. (Mo.) 889 (1916); *State* v. *McDonald*, 190 S. W. (Mo.) 984 (1916).

to the duties prescribed by the prohibition laws, he proceeds against the accused by complaint to the supreme court. If such officer is found guilty, he may be removed from office. The attorney general of Virginia must, upon it being brought to his attention that any local law enforcement officer has failed to enforce the prohibition law, institute ouster proceedings against such officer.[51]

The governor of Ohio may remove any sheriff, prosecuting attorney, constable, or police officer for willful neglect or failure to enforce the laws relating to intoxicating liquors. The governor conducts a hearing and his judgment is final. The only limitation upon his authority is that he must file a statement of all the charges against the officer, together with the result of his findings, in the office of the secretary of state.[52] The courts have refused to issue a writ of mandamus against the governor for his failure to file charges against an officer against whom a complaint has been filed with the governor. The court held, in *State v. Davis*,[53] that the governor alone has the power to determine whether the charges are made in good faith and are supported by facts justifying the filing of a complaint.

In Wyoming sheriffs, prosecuting attorneys, constables, or police officers may be removed by the governor, after hearing, for failure to enforce the prohibition act or if found guilty of intoxication. The governor may begin proceedings on his own motion or on written complaint of any citizen of the state.[54] In case any prosecuting attorney or sheriff of Colorado refuses to enforce the liquor laws, the governor or attorney general may file a complaint in any court of competent jurisdiction, setting forth specific charges of refusal or neglect. The accused must have a full and complete hearing, and if convicted he is deemed ousted from office.[55]

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[51] *Pub. Laws of N. H.*, 1926, pp. 545–546; *Laws of Va.*, 1924, ch. 407.

[52] *Page's Ann. Code of Ohio*, Vol. 1, secs. 6212–6234.

[53] 102 Ohio St. 216 (1921).

[54] *Session Laws of Wyo.*, 1921, ch. 117, sec. 36.

[55] *Comp. Laws of Colo.*, 1921, sec. 3724. In Colorado the constitutional oath of the governor to "take care that the laws are faithfully executed" does not impose upon him the obligation to enforce his order of removal. If he cannot exercise such power acting in his civil capacity, he is not authorized to use military force for tha tpurpose. *In re Fire Comm.*, 19 Colo., 482 (1894).

Other Special Grounds for Removal

The governor may remove sheriffs in some states for allowing a prisoner to be taken from their custody and lynched. In Ohio when a prisoner is taken from a sheriff and lynched, the governor must remove such sheriff from office if, after a hearing, he finds that the sheriff is guilty of negligence in protecting a prisoner. In Illinois and Kansas it is *prima facie* evidence that a sheriff failed to do his duty if a person is taken from his custody and lynched. However, if the governor believes that the sheriff has used reasonable effort to protect the life of the prisoner lynched, he may be reinstated by the governor. When a prisoner is lynched in Indiana, the attorney general institutes proceedings for removal in the proper circuit or criminal court.[56]

Various grounds for removal exist in other states. The statutes of Connecticut give the general assembly authority to remove any sheriff who receives illegal fees or who illegally detains fees collected by him. The governor of Delaware may remove any sheriff, coroner, or constable who has been convicted of refusing or neglecting to turn over and deliver all fees and costs that have been collected by such officer. In Florida the governor may remove any sheriff who refuses to keep white and negro prisoners in separate cells. The same is true with respect to male and female prisoners.[57]

Use of the Power of Removal

While it has not been possible to secure complete reports as to the number of removals of local law enforcement officers by state authorities, it is clear that in most states the power has not been used extensively. In Wisconsin three sheriffs were removed by Governor Blaine and a like number by Governor Zimmerman. Minnesota reports that while no attempt can be made to check the earlier records of the state, out of the twenty-five charges recently considered only one officer has been removed.

The office of the attorney general in Iowa states that while definite statistics cannot be given as to the number of removals

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[56]*Page's Ann. Code of Ohio*, Vol. 1, secs. 2855–1 to 2; *Ill. Rev. Stat.*, 1925, ch. 38, sec. 517; *Rev. Stat. of Kans.*, 1923, sec. 21–1007; *Burn's Ann. Stat. of Ind.*, 1926, Vol. 1, sec. 2534.

[57]*Gen. Stat. of Conn.*, Rev. of 1918, Vol. 1, sec. 212; *Rev. Code of Del.*, ch. 53, sec. 10, ch. 119, sec. 15; *Comp. Laws of Fla.*, 1927, secs. 8545–8548.

which have been made by the courts upon charges brought by the attorney general, sheriffs, chiefs of police, and other have frequently been removed for failure to perform the duties of their office. The attorney general's office in North Dakota reports that the power of the governor to remove has been used rather sparingly, though within the past six years it has been exercised as to the state's attorneys, city mayors, and one or two other classes. The total removals within the past six years, however, will not exceed six or eight.

In Kansas during the last six years twenty-five or thirty different officers have been ousted or have resigned at the request of the attorney general. And in Florida it is reported that the power of the executive to remove local officers in that state has been frequently used.

Value of the Power of State Removal

This limited use of the removal power does not mean, however, that such laws are of no value. The fact that it is a weapon that may be used at any time seems to have some good effects upon local law enforcement officers. This is the view of state authorities where provision is made for such removal. In referring to the power of state removal, the attorney general of Nebraska has said: "There is no question but what the fact that we have such laws on the statute books tend to make the local officers more willing to respond to the suggestions from the state-house for better enforcement of the law."[58] A former governor of Iowa states that "the Iowa statute with reference to removal of some officers by state authorities has had a very wholesome effect upon the officers, and in my judgment, results in better and more effective service on their part. I believe it results in better enforcement of the law and conduct of public office."[59] Reports from most states indicate favorable reaction regarding the value of state removal.

Legal Aspects of Power to Remove

The power of removal from office of peace officers is held in most cases to be an administrative or executive function and not a judicial one. The authority vested in the governor to hear and

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[58]Letter from Attorney General of Nebraska.

[59]Letter from John Hammill, former governor of Iowa.

determine the facts on which he is to base the exercise of his judgment is not judicial in the sense that it belongs exclusively to the courts. In New York the power of removal from office and the responsibility for a right decision rests solely upon the governor of the state and are not reviewable by the courts. In Michigan, however, the courts have held that the power of removal exercised by the governor is quasi-judicial in character; and in Minnesota such power has been held to be judicial and reviewable by the courts.[60]

The courts in some states have held that the governor is the sole judge as to whether the cause is sufficient for removal, and sufficiency of the evidence at the hearing cannot be reviewed in collateral attack upon such proceedings. The courts will presume that the governor had proper cause for removal. In other states, however, this presumption may be overcome by countervailing evidence.[61]

The courts in a few states hold that an officer cannot be removed for acts committed in a prior term. They hold that each term of office is entirely distinct and separate from all other terms of the same office.[62] The arguments for removing officers for acts committed during a previous term seem, however, to be the more logical. In Iowa the courts have held that "the very object of removal is to rid the community of a corrupt, incapable, or unworthy official. His acts during his first term quite as effectually stamp him as such as those of that he may be serving. . . Misconduct may not have been discovered prior to election. Being his own successor, there is no interregnum. . . The fact of guilt with respect to that office warrants the conclusion that he may no longer with safety be trusted in discharging his duties."[63]

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[60]*In re Guden*, 64 N.E. (N.Y.) 451 (1902); *Holiday* v. *Fields*, 259 S.W. (Ky.) 539 (1925); *Lynch* v. *Chase*, 55 Kans. 567 (1895); *State* v. *Superior*, 90 Wis. 612 (1895); *State* v. *Frasier*, 167 N.W. (Mich.) 405 (1920); *State* v. *Eberhart*, 138 N.W. (Minn.) 857 (1911).

[61]*State* v. *Dahlene*, 265 Pac. (Wyo.) 708 (1928); *Groesbeck* v. *Bairley*, 176 N.W. (Mich.) 403 (1920); *Rodd* v. *Veerage*, 187 N.W. (Wis.) 830 (1922); *Evans* v. *Populus*, 22 La. Ann. 121 (1870).

[62]*Thurston* v. *Clark*, 40 Pac. (Cal.) 435 (1895); *Reeves* v. *State*, 258 S.W. (Tex) 577 (1924).

[63]*State* v. *Welch*, 79 N.W. (Ia.) 369 (1899); *Attorney General* v. *Tufts*, 131 N.E. (Mass.) 573 (1921); *State* v. *Megaarden*, 88 N.W. (Minn.) 412 (1901).

The courts in Minnesota have held that the statute for removal is remedial rather than penal in nature. "It provides for the removal of an unfaithful officer, to protect the public, secure the faithful performance of duties, and keep the public service above reproach, not to punish the officer for his derelictions."[64] But in Alabama the courts have held that the law providing for removal is highly penal in its nature.[65]

It has been held by the courts that the power of removal by the governor cannot be exercised arbitrarily, but that he must have legal cause for action. The matter of determining whether an officer should be removed is, however, one of discretion, and the courts cannot order the governor to revoke his action.[66]

In South Carolina, adultery has been held by the courts to be sufficient cause for removal. The fact that an officer deliberately violated the sanctity of another made him guilty of conduct unbecoming a peace officer and constituted official misconduct for which he might be removed by the governor. Intoxication of an officer, when not occurring while in the discharge of an official duty, usually is not considered ground for removal from office. The character of the man, in such case, should be kept apart from that of the officer.[67]

A recent case in Kentucky indicates the narrow and technical view sometimes taken by the courts relative to the removal of local officers by state authority. The constitution of Kentucky of 1891 provided that certain county officers were subject to indictment or prosecution "for malfeasance in office, or willful neglect in discharge of official duties," the mode to be prescribed by law. In 1918 a clause was added to the constitution providing that the general assembly might also provide "other method or mode for the vacation of office or the removal from office of any sheriff, jailer, constable, or peace officer, for neglect of duty, and may provide the method, manner, or mode of reinstatement of such officer."[68] The general assembly of Kentucky in 1924 passed an

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[64]*In re Mason* v. *Co. Attorney*, 181 N.W. (Minn.) 570 (1920).

[65]*State* v. *Latham*, 61 So. (Ala.) 351 (1910).

[66]*State* v. *Ross*, 221 Pac. (Wyo.) 636 (1924); *State* v. *Veerage*, 187 N.W. (Wis.) 830 (1922); *State* v. *Donahey*, 144 N.E. (Ohio) 125 (1924).

[67]*State* v. *Saunders*, 110 S.W. (S.C.) 808 (1920); *State* v. *Welch*, 79 S.W. (Ia.) 369 (1899); *State* v. *Latham*, 61 So. (Ala.) 351 (1910); *Holiday* v. *Fields*, 275 S.W. (Ky.) 642 (1925).

[68]*Const. of Ky.*, sec. 227.

act carrying into effect the constitutional provision. It provided that whenever any peace officer was guilty of misconduct in office, bribery, gross neglect to enforce the laws of the state, gross immorality, or habitual drunkenness, he should be declared guilty of neglect of official duty and removed from office by the governor.[69]

The court in interpreting the meaning of the constitutional amendment held that it provided a new method of removal and that the only ground for removal was "neglect of duty," and did not include the grounds for removal enumerated in the original provision. The court interpreted the phrase "neglect of duty" to mean "neglect of official duty," and the fact that a sheriff was intoxicated was not necessarily a neglect of official duty.[70]

Conclusion

State appointment of local law enforcement officers is little used. While quite commonly used in the earlier history of the country it has been gradually abandoned. Sheriffs, prosecuting attorneys, and coroners are engaged primarily in the enforcement of state law. State appointment is in keeping with this principle. This would give the state more effective control over its agents and at the same time it should tend to improve the personnel of local law enforcement agencies. There are some who feel that herein lies one possible means of improving conditions of law enforcement.

When the police of the city are considered, the situation is somewhat different. There seems to be no tendency to extend state control over city police. Those who oppose state control in this field suggest that if the police system is to be effective, it must work in close coöperation with the other administrative divisions of the city. Coöperation may be more difficult to obtain if the police department bears no relation to the other departments. The mayor, as chief executive of the city, should bear the same relation to the city police as the governor, as chief executive of the state, should to the sheriff and prosecuting attorney. The chief executive of the city is held responsible for the enforcement of the laws within his city, and if he has no control over the police, he cannot fulfill the responsibilities of his office.

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[69] *Acts of Ky.*, 1924, ch. 49.

[70] *Holiday* v. *Fields*, 275 S.W. (Ky.) 642 (1925). See also Turck, Charles J., "The Governor's Power to Remove County Officers," 14 *Ky. Law Jour.* 330 (1925).

Since local law enforcement officers perform local as well as state functions, public sentiment is opposed to complete state centralization of law enforcement. The electorate of the locality feels that it should have some voice in the selection and control of officers who perform functions that are local in nature. As long as this feeling exists, state appointment of local officers will not be greatly extended.

Provision for removal by state authority now exists in some form in a majority of the states. The tendency in recent years has been toward the extension of this method of supervision. This has been especially true since the adoption of prohibition; several states have recently enacted laws providing for the state removal of local officers who refuse or neglect to enforce the prohibition laws.

Any solution of the law enforcement problem must consider the prevailing sentiment for local control. The power of removal enables the state to safeguard against gross abuses but leaves practical control in the hands of local authorities.

COTTON ACREAGE LAWS AND THE AGRARIAN MOVEMENT

BY THOMAS C. McCORMICK
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The public press has naturally regarded the efforts that several Southern states are now making to raise the price of cotton by acreage-reduction or cotton holiday laws as simply a consequence of the present temporary economic crisis. As a matter of fact, however, this action is also a projection and expression of a farmer's movement which is as old as our nation itself; and it cannot be fully understood or appreciated when separated from its historical connections. Moreover, the present legislation may be much more important because of its abiding influence on the future of the agrarian movement and on public opinion in this country than because of any immediate effect it may have on cotton prices.

Until after the Civil War, most farmers in the United States grew only what was consumed by their own families, and made at home nearly everything they needed. Little was bought or sold, although there was always some exchange. Living on isolated farms under this system, farmers were largely independent of society, and developed the well-known individualism that has deeply affected all American life and institutions.

In the latter half of the nineteenth century, industrial development and the growth of cities quickened in the United States. By 1900, in less than a century, the population living in large towns and cities had increased from five to thirty-three per cent of the total population. At present, only about one person in five remains on farms. The millions of town people have had to be fed by the farmers; and farmers in turn have keenly desired the goods and services of the towns. As an inevitable result, the farming people have been drawn into commercial relationships with the cities, and have come to produce crops and animals chiefly for exchange with them. Great American markets for these products have appeared, e.g., for livestock at Chicago, and for grain and cotton at New York, Chicago, and New Orleans. Not content with this, our farm commodities have found markets in foreign countries, and farm production has been greatly increased to supply them. Out of this situation has developed a vast and complicated system

of price determination to control the supply of agricultural goods needed. The price of cotton and wheat in this country are now determined by what they bring in the world market. During this process farming has tended to become highly specialized and competitive like other industries. Farmers are now largely dependent for their welfare upon the prices they get; and prices are determined by gigantic commercial and international forces over which they have as yet almost no control.

What has been said shows that during a single century American farmers as a class have undergone fundamental changes in their economic organization. It is only to be expected that they could not make the complex readjustments required without many mistakes and much friction with other economic classes. As a result, there has been constant unrest among farmers in the new social order, and this has given rise to a persistent *agrarian movement*, characterized by repeated economic protests and political revolts.

As early as 1785, agricultural societies had appeared in New York, Pennsylvania, and other states. Disturbed over failing soil fertility in the East, delegates were sent to the state and national capitols to urge the cause of agricultural education; and committees were appointed to attend to the public aspects of the agricultural industry. Out of the latter have evolved the state boards and departments of agriculture. Largely as a result of the efforts of these societies, the Morrill Act was passed in 1862, providing by grants of public lands for the establishment of state agricultural colleges. In the same year, an agricultural bureau was created in Washington, D. C., which has expanded into the United States Department of Agriculture.

After the Civil War, when farmers were overwhelmed by financial depression and debt, there arose the rural fraternal order of the Grange. Its founder, a government clerk at Washington, D. C., urged a program of agricultural education; but the farmer-members, convinced that they were being exploited by "Big Business," quickly turned to coöperative business enterprises, and converted the Grange into a farmers' weapon against "monopolies." So it was that the Grange gave its name to the spectacular and impulsive agrarian attempt of the Seventies to bring the railroads under government control. At the same time, a number of farmers' independent political parties, including the "Greenback" party,

sprang into existence, and, in behalf of the debtor class, vigorously opposed deflation of the paper currency of the Civil War period. All of these organized farmers' efforts, regarded as exceedingly radical in their day, failed in their immediate purpose. But the Grange became a permanent and powerful farmers' order exerting beneficial influences in rural life; and the Granger railroad legislation opened the way for later laws establishing the Interstate Commerce Commission and government regulation of public utilities, which have now become a basic part of our national legal practice and philosophy.

Scarcely had the Granger outburst passed when there appeared the gigantic Farmers' Alliance, or "ground-swell of the Eighties," said to have attained three and a half million members. This was another emotional agrarian protest against capitalism and deflation. The leaders of the Alliance vehemently accused the middlemen of robbing the farmers of their just share of the consumer's dollar and launched the organization at once into ambitious coöperative buying and selling activities. Failing in these business ventures, unwieldy, and split by political dissension, the Alliance was completely wrecked within less than a decade. It disintegrated as a farmers' order, however, only to assume the form of a "People's Party," which fought again at the polls the debtors' fight for free silver and monopoly control. The short-sighted cause of free silver was lost; but the farmers' persistent struggle to establish the principle of governmental regulation of any business affecting public welfare was advanced a little farther.

After these two violent but not unfruitful rural revolts against the urban capitalistic system had spent themselves, there followed a lull of fifteen or sixteen years, marked by increased farm prosperity. But conditions continued wretched in the war-ruined South; and in Texas there appeared in 1902 a third farmers' order and successor of the Alliance, the Farmers' Educational and Co-operative Union of America. It was patterned after the Grange and the Alliance; and more exclusively than either it put its faith and threw its energies into voluntary coöperative marketing associations. Together with its Middle Western contemporary, the American Society of Equity, the Farmers' Union was probably the first farmers' order to call attention to the necessity of controlling the quantity of farm products at their source. The Union and Equity have repeatedly urged the limitation of

crop acreage, and even the deliberate destruction of a part of unprofitably large crops at harvest time—but always with negative results. The Farmers' Union has sought to avoid the political errors and coöperative mistakes which proved disastrous to the older organizations. Although not entirely successful in this, it is still one of the major farmers' associations of the country.

In 1916, a group of wheat growers in North Dakota, exasperated by the alleged unscrupulous practices of grain buyers, were organized by socialist leaders into the "Non-partisan League," which captured the Democratic party and took over the state government. The League then attempted to establish a state-owned and operated marketing system for agriculture, state-owned banks, an insurance department, flour mills—in short, a far-reaching scheme of state socialism. From North Dakota the League soon spread into several neighboring states. Political inefficiency or corruption prevailed on almost every hand, and the project collapsed of its own weight in 1921, when it was beaten at the polls in the state of its origin. Nevertheless, an abiding and wholesome imprint upon state legislation in the Northwest has remained.

In the meantime, beginning about 1910, here and there over the nation were appearing countrywide associations of farmers, brought together by the efforts of the agricultural colleges, the United States Department of Agriculture, and local business men, to obtain more effective contact between agricultural extension workers and farmers. These associations were called "county councils" or "farm bureaus." The demands of the World War upon the agricultural industry and upon the extension departments of the agricultural colleges caused a rapid development of these bureaus, state societies were formed, and in 1920 the National Farm Bureau Federation was created, with twenty-eight states participating. By 1922, eight Southern states, eight Northeastern states, thirteen Middlewestern states, and ten Western states were paying dues to the National Federation. During this rapid expansion, however, the control of most of the State Bureaus and of the National Federation passed from the agricultural colleges and the United States Department of Agriculture into the hands of the farmers themselves. True to precedent, the farmer-directors at once threw emphasis upon coöperative buying and selling enterprises, in which the college extension agents were forbidden by the Department of Agriculture to participate. Next,

the agrarian leaders placed two well-paid and skillful representatives of the Bureau Federation at Washington, D. C., to lobby for the legislation they desired. In this way, the Farm Bureau was primarily responsible for the famous "Farm Bloc" which began in the Congress of 1921. This newcomer to the ranks of major farmers' orders continued to see in a comprehensive development of coöperative marketing the chief cure for the farmers' ills. Enabling legislation in the Capper-Volstead Act was promptly passed, "mild monopolies" over agricultural products in the form of farmers' super-coöperatives were advocated and attempted, and a division of coöperative marketing was set up in the Federal Department of Agriculture, which had only recently refused to lend aid in so unorthodox a field. But the greatly expanded program of farm output in the United States during the World War and the later slump in European buying power resulted in a vast surplus of farm products, which the Farm Bureau Federation soon began to see as the major cause of the excessively low farm prices that have prevailed since 1921. The supply-and-demand formula of classical economics suddenly became familiar on the tongue of farm leaders, and "Control the Supply" became the new slogan of an old crusade. The obvious importance of the world market in the new situation focused the attention of the agrarian movement upon the industrial tariff and its long-known discriminations against agriculture. Accordingly, the personified object of the farmers' attack shifted back from the traditional but now insignificant arch-enemy of the farmer, the middleman, to that other perennial scape-goat of rural resentment, "Big Business." Losing faith in the old vision of voluntary coöperation, which in the light of disillusioning experience seemed so inadequate and hopeless in the face of the present gigantic and pressing difficulties of agriculture, the Farm Bureau Federation, the Grange, and other major farmers' orders turned in desperation to a policy of thorough-going *compulsory coöperation*, established by legislative enactments and enforced by government control. The whole fight for "farm relief," which may be described as a fight for compulsory coöperation designed to extend the benefits of the tariff to agriculture, has been largely led by the Farm Bureau Federation. Twice the passage of the ill-fated McNary-Haugen Bill was obtained, only to receive the veto of President Coolidge; and finally, in 1929, a compromise measure, embodying many of the chief

provisions of that bill, but without the equalization fee or the export debenture features, was enacted into law. This Agricultural Marketing Act set up a Federal Farm Board with a revolving fund of half a billion dollars, which through "stabilization corporations" soon began to buy and hold off the market immense quantities of wheat and cotton, in an attempt to bolster up the sagging prices of those commodities. In spite of such drastic efforts, however, a severe and protracted world-wide economic depression, combined with bumper crops in 1931, caused farm prices to continue steadily on their downward path to pre-war levels.

In view of this conspicuous failure of the buying-and-storing technique to restrain the supply of farm products in the face of unprecedented crop yields, and stimulated by the ever-growing losses of income and property among the farming class, as well as by the extraordinary political opportunity, many Southern leaders in the late summer and fall of 1931 inevitably turned again to the fundamental idea of controlling supply at its source, by limiting acreage planted. Advancing from the policy of compulsory coöperation under government regulation set up by the campaign for "farm relief" during the past decade, the logical proposal was made to pass from voluntary to compulsory restriction of cotton acreage, also. With regard to the reasoning involved, at least one reputable economist has written: "— on the whole it seems extremely doubtful whether integration to the point of planting and market control is possible through any other agency than the Government." (Tugwell, p. 281, *Annals of Am. Ac. of Pol. & Soc. Sc.*, Mar., 1929.)

In view of the undeniable trend toward increasing government regulation in many lines of activity and interest in this country, the most appropriate questions that can be raised about this latest development of legal acreage control in the agrarian movement are, first, the question of the adequacy of the proposal, and, second, the question of its timeliness. The first must be left to special economic analysis and to actual experiment. But the second may at once receive an opinion. In spite of the old tradition and habit of individualism among the farming people of the United States, we have seen that the whole agrarian movement has been directed toward achieving increased government regulation of the groups opposed to the interests of the agricultural class. We have recently witnessed the movement seeking to extend government control to its own constituency, the farmers themselves, in the

effort of its leaders to discipline their rural cohorts to win the victory. But, apparently, we have here just another illustration of the universal tendency for the invention and enthusiasm of leaders to run ahead of the mental habits and organization of the masses. There seems to be little likelihood that our conservative farming people will yet accept the actual imposition of a type of control so contradictory to the long-established and still dominant ideas of individual initiative as is the proposed legal limitation of farm acreage. Nevertheless, the public agitation of the question that has occurred during the present crisis must be viewed as the usual process by which old attitudes and behavior are gradually changed.

We should also regard this latest episode of acreage restriction as evidence of an agrarian tendency to carry price control, already begun through coöperative selling, to more fundamental ground, control of production. It denotes progressive recognition by farmers of the over-competition and disorganization that prevails in their industry, and of the fundamental economic factors which they must ultimately bring under regulation. It is also a preliminary gesture in dealing with these factors. In view of the indication of such deep-seated changes in rural attitudes, the question of the immediate success or failure of the present acreage reduction legislation becomes relatively unimportant. If these laws never become operative, or if they prove entirely abortive in operation, they still stand as evidence that agriculture is gradually learning what needs to be done, and will probably try better ways of doing it.

Finally and above all, we repeat that we should think of these attempts at legal control of acreage as merely one of many incidents in the slow onward drive of a persistent, groping national and international agrarian movement.

Summary.—If the growth and decline of farmers' organizations is taken as an index of the status of the rural movement, there have been four crests at an average of sixteen years apart, with a mean variation of less than two years. Each high tide in the growth of farmers' associations has been succeeded by an agrarian political revolt, although during the present century these revolts have been more limited in area. This reveals a surprising regularity or cycle of recurrence of the outbursts of rural unrest in this country during the last half-century.

The great motive power behind the persistent series of farmers' risings in the United States is chronic rural economic discontent, constantly reborn of the American theory that the farming class should prosper with the best and its actual failure to do so, more galling at some times than at others. When the ratio of farm product prices to non-agricultural prices is plotted on a time chart with the growth of farmers' orders, it is seen that severe drops in the buying power of farm products have usually been followed by an increase in the size of farmers' organizations or by a farmers' political rising. Indeed, inquiry shows that every great expansion in the membership of farmers' orders has been preceded or reinforced by a sharp decline in the relative value of farm products or by local economic difficulties. The growth of the Farm Bureau during the prosperous War period, after it had shaken loose from the leadership of the agricultural colleges, was apparently an effort by the price-exhilarated farmers to band together to make the most of the opportunity to seize their share of the extraordinary profits dangling in view. But even the Farm Bureau did not reach the peak of its growth until after the headlong collapse of agricultural prices in the fall of 1920.

The various phases or cycles of the rural movement have many traits in common. They have all grown out of economic situations defined as unsatisfactory by the farming people. They have all aimed to relieve rural unrest by means of education, organization, coöperative buying and selling, or political measures. In every instance, the government has been looked to as a proper source of aid for agriculture, and of regulation of opposing groups, and now even of the *farm group itself*. Each cycle of conflict has moved through the spontaneous or voluntary to the institutional or legal-compulsory stage; and this has been increasingly true of the movement as a whole. Finally, the several phases have clearly been bound together by an accumulative tradition which has more and more influenced their form and conduct.

Out of this agrarian movement as a whole there is gradually emerging a self-conscious farming class, as an addition to those two other great occupational classes, the laborers and capitalists of urban industry. The movement is developing a more adequate economic organization of agriculture. It is creating an up-to-date agrarian political technique. It is establishing rural education and probably a rural culture. The net result of the agrarian movement, economic, political, and cultural, will be a farmer with

many new ideas and interests. The farming class, in short, is evolving its own new institutions and its own culture, in constant interaction with urban classes, and with an increasing tendency to resemble them, but always more or less distinct from them. The chief function of the endless series of agrarian revolts is to break up the farmers' old schemes of life, suited to a simple age of rural self-sufficiency and isolation, and through conflict and accommodation to make possible the development of rural attitudes and institutions suited to the present interdependent and complex world order.

SOVEREIGN IMMUNITIES FOR OFFICERS OF POPULAR INSTITUTIONS

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On December 15, 1929, there appeared in various newspapers throughout the United States brief accounts of the threatened arrest of General Plutarcho Elias Calles, former President of Mexico, by the authorities of Webb County, Texas. Column headings bore such legends as, "Texas Bows to U. S.; Will Not Arrest Calles," "Ex-President of Mexico Liable to Be Arrested," and "Laredo Sheriff Has Warrant for Calles." There were others, but the above are typical examples of the headings which confronted the reader that day.

It seems that the arrest of Calles was desired because of implication in the deaths of General Blanco and Colonel Aurelio Martinez, two Mexican Army officers, who were enticed from their place of abode at a hotel in Laredo, Texas, on June 7, 1922, and murdered. These men were taken to the banks of the Rio Grande and placed in a boat under the impression that they were being taken to Mexico to head a body of soldiers for the overthrow of the constituted government of Mexico at that time. With Blanco and Martinez at the time of their allurement was one Ramon Garcia, head of the Mexican Secret Service, who was also killed. It is rumored that Garcia carried bribe money. The bodies of Blanco and Martinez were later found handcuffed together. They were taken out of the Rio Grande just above the international bridge.

Martinez was shot in the head and Blanco apparently was drowned. Garcia's body was also recovered from the river. He had been shot and his body was near the other two.

In addition to the foregoing facts, it is significant to note that two Americans, Constable Duke Carver, of San Antonio, and Captain Allen Walker, ex-Texas ranger now in hiding in Mexico, have been indicted for the murder of Blanco and Martinez. Carver is under bond, his trial having been set and postponed during December, 1929. These facts, coupled with the incidents surrounding the death of Garcia, give rise to doubts as to whether or not Blanco and Martinez were the receivers of the rumored bribe money. It is not the purpose of this article to attempt to

conjecture concerning the guilty parties, but rather to consider the part taken by our government in this affair.

Secretary of State Stimson received a telegram from District Attorney John A. Valls inquiring into the case on December 14th requesting information as to whether Calles enjoyed diplomatic immunity which would exempt him from arrest and prosecution for crimes alleged to have been committed on American soil. District Attorney Valls was promptly advised by Secretary Stimson to the effect that Calles "has been engaged in diplomatic conversations on international matters with representatives of the United States." In this manner the United States recognized his diplomatic office and stood ready to protect him from arrest. The Texas authorities quickly acknowledged the statement from the Secretary of State and Calles was not molested.

It is very important to consider the reasons given by the Department of State for granting Calles this immunity from seizure. Certain intimations reached the State Department to the effect that the Department had visaed the Mexican diplomatic passport primarily to protect Calles from arrest at the hands of District Attorney Valls. Arthur Lane, chief of the bureau on Mexican affairs, maintained that "the Laredo case had nothing to do with our decision to visa the Calles passport." In discussing the incident the Department officials stressed three facts. In the first place, although Calles is now a private citizen, custom entitles him, as an ex-president, to a diplomatic passport not available to ordinary citizens. In the second place, Calles had aided the Mexican Ambassador in diplomatic negotiations with American officials, thus giving him the status of a diplomat. In the third place, the diplomatic passport was not issued by the American Government, but by the Mexican Government. The American Ambassador at Mexico City, it was said, simply visaed the passport, which was presented in behalf of General Calles, on July 12. This action, the Department officials declared, was required by "international courtesy."

In defense of the stand taken by our Government, it cannot be denied that the State Department was justified in asserting that Calles enjoyed the status of a diplomat. The Inter-American Convention on Diplomatic Officers, signed at Havana, February 20, 1928, clearly provides the legal basis upon which the immunity of all diplomatic officers from arrest for civil and criminal actions rests. Ranging from before the time of ancient Greece, through

the Middle Ages (Queen Anne, 1708; 7 *Anne C* 12), the Congresses of Vienna and Aix-la-Chapelle (2 *British and Foreign State Papers* 179), and up to the present time nations have respected the diplomatic immunities guaranteed to foreign envoys, but often not without trials and legal controversies. Our Department of State was right, however, in that although there is great strength in the contention that Calles was a diplomatic official, there is infinitely more power in the recognition that he is an ex-president, an ex-sovereign, of a foreign country. In other words, the writer feels that the first point stressed by the State Department, namely, "although Calles now is a private citizen, custom entitles him, as an ex-president, to a diplomatic passport not available to other citizens" is the strongest possible argument in favor of Calles' exemption from arrest by Texan authorities.

Glancing at the most important cases that have established precedents upon which the immunity of sovereigns rests, one need but turn to the unique case of *Mighell v. The Sultan of Johore* (1 Q. B. 149) to observe the position accorded to sovereigns. This case is unique for several reasons. In the first place, it is about the only case on record where an actual sovereign was hauled into court for the purpose of establishing his identity. Secondly, when his identity was determined, all proceedings against him were immediately dropped. Thirdly, the action brought against the sovereign was for breach of promise to marry, made by the defendant when he was a subject of the King of England, prior to his becoming a sovereign ruler of an independent state.

It is true that Calles was charged with criminal action, which is doubtless a graver charge than breach of promise to wed; but, on the other hand, he is an ex-sovereign of a state considerably more important in world affairs than Johore, and in addition a person who has never owed allegiance to any other country save his own, Mexico. Furthermore, the fact that Ramon Garcia, Secret Service Officer, disappeared with the rumored bribe money and was later found dead with General Blanco and Colonel Martinez, together with the implication of charges against two Texans, should tend to lift considerably the burden of suspicion for Calles.

There are many other cases relative to the rights and immunities of sovereigns which need not be recounted here. (*The Schooner Exchange v. McFadden*, 7 Cranch 116; *Vevasseur v. Krupp*, 1878, 9 Ch. D. 351; *South African Republic v. La Compagnie*

Franco-Belge du Chemin du Fer du Nord, 1897, 1. Rep., i Ch. 190; etc.; etc.)

Although sovereigns have been accorded unquestioned immunity from all civil and criminal actions, the reverse is true concerning diplomatic officers of the sovereigns. The latter have been brought into courts and there severely questioned. Diplomatic immunities have become a part of international practice and as such embodied in the legal system of every land, but only after centuries of controversy. The list of cases involving ambassadors, ministers, legates, envoys, attaches, and other diplomatic officials is an extensive one. (*U. S. v. Beoner,* 24 Fed. Cases 1084; *Engelke v. Mushman,* 433 House of Lords; *In re Baiz,* 135 U. S. 403; *Swiss Confederation v. Justh,* Swiss Fed. Assiz ct., 1st Dist. 1927; *Procureur General v. Nazare Aga,* France 1921, Cour de Cassation, Chambre Civile, 123 Arrets de la Cour de Cassation en Matiere Civile, p. 271, also 48 Jour. du Droit Int. 922; *Musurus Bey v. Gadban,* 1894, Ct. of Appeal, Great Britain, 2 Q. B. 352.)

From the layman's point of view, it was practical for our State Department to grant Calles immunity on the grounds that he was a diplomatic officer. From the lawyer's point of view it is maintained that the most potent obligation to protect the person and guarantee the immunity of Calles is based on his rights and privileges resulting from his status as an ex-sovereign of Mexico.

In conclusion, there are some who will doubtless point to the fact that any public officer in a democratic system upon retirement enjoys no greater legal rights than the ordinary citizen. Practice has shown this to be merely a presumption and not a fact. The more important the previous officer's rank, the more unlikely it is that he will be tried for any action, whether civil or criminal. In this connection witness the increasing degree of respect shown by the heads of foreign states to our high officials. At one time our highest elective officers were not greatly respected abroad. When ex-President Roosevelt travelled abroad, before the war, he was given a twenty-one-gun salute in many ports. This was a form of international courtesy and only that, the critic may say, but the critic should remember that there is very little difference between custom and law. In ancient times the heads of states did not travel around except when leading sufficient troops to guarantee immunity from seizure. In this day and age transportation is so rapid and peoples so civilized that a sovereign, whether hereditary or elective, many times decides to tour other lands.

Ex-sovereigns do likewise. Hence it is common and natural to find that states, for loss of better reason, tend to apply the legal rights to the sovereigns which were formerly applicable only to its agents, and then established after much difficulty. In order to justify the legal status of General Carranza on old-time criterion, the Supreme Court, in the *Lucy H.* [235 Fed. 610 (1916)] devoted considerable discussion to show that he was a "sovereign prince." Surely it is time to recognize the legal status of sovereigns and ex-sovereigns as superior to that of diplomatic officers.

SOME GENERAL PROBLEMS OF SOCIOLOGICAL MEASUREMENT

BY L. L. BERNARD
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In recent years there has been much controversy in sociological circles over the question of measurement, and at the last (1930) annual meeting of the American Sociological Society a paper was presented apparently defending the speculative attack upon problems in the sociological field. Yet all science involves as an essential phase of its content the procedure of measurement. All science is the result of some sort of measurement. Science does not take its facts on unverified authority, nor does it receive them by instinct or intuition. If the beginnings of science are in sensory perception, as indeed they are, we must remember that even perception is a learned art and is neither born in us nor does it ever achieve perfect inerrancy. It grows in dependability from very humble beginnings, at first by direct experience, that is, by learning to compare our perceptions and to check one object over against many others; and later by the employment of artificial checks and devices of comparison, which we call scientific methodology. These last, beginning with various measuring devices of a simple sort, are further assisted by other physical aids to and extensions of the senses, and are finally elaborated by logical and mathematical devices of an abstract sort capable of giving an organization and a perspective to data when their conceptual form reaches beyond simple perceptions.

Thus science is always concerned with processes of comparison, defining, testing, verification, and organization and classification of perceived (and conceptualized) data from the hour in which the child first begins to isolate objects to the time the savant produces a "discovery" or a "system." Science begins in the infancy of each normal human being as well as in the childhood of the race, and it is never finished. Throughout its development it is making use of comparisons or measurements, but not always of definitely quantitative ones. Although quantitative measurement appeared in its simplest physical forms thousands of years ago, before that, even, simpler and less definite forms of comparison or measurement, such as the more or less, far and near, large and small comparisons, description and characterization by analogy,

random inferences, and informal statistical inductions, were employed. Indeed, these general measurements by comparison and inference still continue to be used and constitute the major content of definition, characterization, and classification of relatively unsophisticated minds. In order to secure definite bases of comparisons, early man took standards of measurement out of his everyday experience and observation. Thus distances came to be measured in terms of feet and days' journeys, size in terms of fingers, hands, feet, and ells, etc. Where there were no readily available natural units of comparison, or the objects described transcended simple perceptual observation, methods of measurement remained indefinite and vague, even in the field of physical phenomena, until more abstract and symbolical units of measurement were invented.

I am not one of those who believe that measurement in the social sciences must be of an entirely different order from what it is in the physical sciences. Indeed, I believe that the social sciences are in the last analysis physical sciences. I am convinced that all science, like all matter, is one; but that all sciences, like all substances, represent different combinations or organizations of facts. There was a time when almost everyone was convinced that each of the so-called elements of matter owed its differentiation from the other elements to some sort of indestructible essence or principle peculiar to each. We are now as certain that all the elements consist of the same types of electrons and protons, but differ in the quantity and organization of these. Likewise, living matter was once supposed to be characterized by an indestructible "vital principle" which differentiated it from non-living matter; but now we attribute organic qualities to differences in organization of the atoms and molecules. Once also, in fact until very recently, we looked upon social life or association as being characterized by another of these "essential principles"—the so-called instinct of gregariousness or herd instinct—but we now attribute social behavior to the naturalistic process of conditioning responses to those same stimuli which also set off responses in others; and we no longer regard social behavior as any more instinctive or dependent upon an innate metaphysical principle than perception, which we have found to be acquired.

So it is with science. The same processes of measurement—comparison, definition, testing, verification, organization, and classification of objects—is used in all sciences. Different units

of comparison, whether concrete and physical, or abstract and symbolical, are, of course, employed to measure phenomena in different types of problems. But there is no definite line of separation between either the types of problems or the instruments of measurement with reference to the so-called physical sciences on the one hand and the so-called social sciences on the other hand. The social sciences in their simplest forms begin to measure by simple arithmetic, counting persons, organs, natural and cultural objects. They use inches, feet, yards, miles, acres, ounces, pounds, gallons, or their metric system equivalents, the same as any physical science, and frequently, although not always, for the same purpose. When abstract measurements are required in either physics or sociology, in chemistry or in economics, the same statistical or logical procedures may be employed. If it be objected that the units of measurement in the social sciences are, however, most commonly different from those of the physical sciences, the objector needs only to be reminded that different units of measurement are also employed to define and describe different physical objects, and that the differences in units of measurement within the field of physical phenomena are perhaps greater than the differences in units between physical and social phenomena. In fact, a very large portion of social phenomena are obviously physical, and all social phenomena may be reduced logically and analytically to the physical substratum, if we are prepared to accept mental and moral phenomena as merely more complicated functionings of more complex and less stable organizations of matter. Sociological units of measurement must, of course, be more complex and abstract in their most highly developed forms, because social phenomena are much more complex and much more in flux. My contention is not that social phenomena are always as easy to measure as physical phenomena, as difficult as is the measurement of the latter in their most complicated and variable forms, but that they must be measured by basically the same methods, differing only in details and in complexity according to the differences in organization and fluctuating relationships of the phenomena concerned.

The physical sciences began their systematic and recognizedly objective existence with the creation of systems of units and logical devices of measurement. Thus successively were developed arithmetic, geometry, algebra, trigonomentry, analytic geometry, the calculus, etc., etc. Such systems of measurement

are still being developed and there is no reason to suppose that they will ever cease developing to meet the growing needs of measurement. New systems of mathematics will doubtless appear and old systems will grow in complexity of technic content. If arithmetic began in the simple process of adding visible units, one to another, it did not stop there. It soon developed groups of units, like fives, tens, scores, fifties, hundreds, thousands, etc., to facilitate addition and notation. It also developed subtraction, multiplication, and division. It learned to deal with fractions of units as well as with multiples of units. More complicated processes and procedures, like proportion, denominate numbers, progression, and logarithms, were added. Various systems of notation were invented. It finally became possible to use arithmetic for highly complicated measurements, not only of concrete objects lying before the arithmetician, but also of imaginary objects which he might or might not ever behold with his physical eyes. He learned to measure not only inanimate or passive objects and groups of objects, but also the behavior of people, and thus arithmetic became a method applicable to the nascent social sciences. the various geometries have lent themselves less readily to the measurement of social phenomena than has arithmetic, but they are not without their contribution to anthropometry, navigation, architecture, road and railway construction, etc., and thus indirectly to economics, political science, and sociology and the various phases of social behavior upon which these several sciences rest. Algebra and the calculi and the other forms of higher mathematics, created in response to the growing needs for abstract metric units and of abstract metric processes, at first in the world of physical phenomena, have now come to be the bases of the more complicated and abstract measurements of social phenomena. The new mathematical science of statistics, which is perhaps used more in the social than in the physical sciences, is based primarily upon these earlier abstract mathematical sciences or logics. Recently trigonometry and analytic geometry have been found useful in measuring spatial distributions in social geography. The importance of analytic geometry in graphing social facts is known to everyone.

The measurement of data and relations in the social sciences often requires the most abstract projections of units and of systems of symbolic comparison. Because the data of the social sciences are frequently so complex and so variable, because the space

and time scatter of social events and facts of comparable orders is so marked, and because the very facts themselves so often change character and relative value in the ever-changing integrations of social phenomena, it is difficult to measure relationships directly or to secure adequate samples of social facts that must be measured indirectly and abstractly. Social relativity is greater than any other relativity for the reasons mentioned. Social laws and principles, when constructed quantitatively, must for the most part be developed statistically, which means, almost invariably, by means of a sample rather than on the basis of the whole field of data. Consequently, because of the very nature of statistical generalization on the basis of the sample, sociological generalization is necessarily relative and tentative in character. The unit of measurement is itself relative. There is lack of an absolute standard, which is so much more nearly attained in the more concrete forms of physical measurement by means of visible and tangible units of comparison.

The search for concrete and definite standards or bases of metric units and for uniform points of departure in measurement in the social sciences has not been neglected. In so far as possible they have been sought in the older physical sciences. Everybody knows how great was the advantage for abstract measurement of all sorts when zero was substituted for unity and how great was the gain in flexibility of measurement with the adoption of the plus and minus notation, and later of the plus-or-minus, infinity, the coördinates of analytic geometry, and the various notations of the calculus. The social sciences unfortunately have no environmental basis of computation or comparison such as the vacuum in the law of falling bodies. Here the standard of resistance of the atmosphere is reduced theoretically to zero and it is easy to compute on this basis of resistance the theoretical incremential ratio of the falling object. The task of the social sciences in measuring human behavior would be immeasurably lessened and the results would be infinitely more standardized and dependable if some such zero base of resistance of the psycho-social environments could be ascertained or computed. The zero resistance base of the vacuum was found by experiment in the laboratory. No such method is open to the determination of a zero resistance base for the social environment, and as yet the problem of computing such a base for the measurement of social behavior is too difficult, because of the great com-

plexity and variability of the social environmental resistances involved. Consequently the social scientist must depend upon statistically determined bases or standards of departure in his abstract measurements of social behavior and relationships. This means, of course, that he is compelled to rely upon such variable bases as averages, means, modes, and medians. These are never twice identical for any comparable sets of phenomena, because the samples are never twice the same if the data are not arbitrarily selected. Because of this fact, even with the best possible abstract units of measurement, the more abstract and complex aspects of social science can never be anything but relative.

Attempts to remove this relativity in social science by the establishment of invariable bases have not been wanting. The attempt to secure a zero resistance base in choice in the market and in the expenditure of human effort was inherent in the theory of the "economic man" of the classical economists. He was a man in an emotional and cultural vacuum, so to speak. The attempt to secure such a zero base of choices was a laudable one, and if it had succeeded, classical economics would have been as dependable as the law of falling bodies. But the classical economists had no way of computing this base—the theoretical economic man—and, ostrich-like, they supposed they had found him by shutting their eyes to the multifarious psycho-social environment of traditions, customs, conventions, beliefs, fashions, fads, crazes, propaganda, advertising, and the whole gamut of institutional pressures and controls. When the institutional economists of recent times, acting under the influence of a social psychology which could no longer be ignored, withdrew the economic head from the sand and looked the environmental facts full in the face, they made of economic theory at one and the same time a much more relativistic and a much more realistic science. Statistics can bring much order out of this chaos, because it transfers the relativity from a comparison of the individual facts to a comparison of samples and systems of facts. But all relativity cannot be banished from the social sciences until environmental bases of zero variability for measurement and the construction of formulas can be found, either by discovery or by computation.

Other attempts in this direction of finding zero bases of relativity were the principle of fixed gradation and equivalence of punishments in criminal law, the self-interest principle in ethics and jurisprudence, the principle of rationality or behavior on the

basis of logical reasoning which sought to supplant traditionalism and authority in the eighteenth century, the harking back to a body of tradition in the theory of the Roman Catholic church, the theory of precedent in the court practice of determining justice under the common law, the doctrine of an absolute conscience of the older metaphysical ethicists, the doctrine of infallible instinct of the modern metaphysical psychologists, the Kantian search for innate ideas of time and space, and for inherent and unchangeable aesthetic qualities in form, and for absolutistic principles in nature. The whole doctrine of natural law is an attempt to read fixed bases or zero norms of departure into nature as a basis for the computation of normal or right conduct and moral or efficient behavior. It seems almost a paradox that the only way by which the scientist can escape from the distortion of measurements and norms occasioned by the misguided adoption of these arbitrary and anthropocentric standards is through a temporary return to relativity, as in the case of the institutional economists mentioned above.

A similar recourse was adopted by the social psychologists and the sociologists when they threw off the deceptive promise of unvarying certainty offered by the hypothesis of instinct and adopted by preference the relativistic criterion of the conditioning of responses under environmental controls as a method of computing and directing human personality integration. Likewise, the behaviorists' repudiation of a revealed and authoritarian world on the one hand, and of a world controlled by hypothetical natural law on the other hand, in favor of a world measured and integrated on the basis of scientific measurement from the variable base of the individual's conditioned responses to his environment, extending outward and backward to the outward ranges of the universe, seems no less than nihilism and madness to the metaphysical absolutist. Perhaps the latter never will be able to understand how a more stable world—i.e., a better system of conditioned responses to one's world—can be constructed in such a manner. But this relativistic process has always been the basic one used, however unconsciously. The old absolutistic world was an illusion created by the stability our relativistic technique of conditioning responses and of integrating meaning had given us. The only difference is that now we use the relativity technique consciously and therefore much more effectively. That is why we are seeking

so diligently both for units of measurement—concrete and abstract—in the social sciences, and for stable bases or norms of departure for our computations and comparisons.

Statistics is the best system we have so far found for the abstract determination of these bases and norms. The doctrine of relativity as a scientific concept and its correlate of behavioristic analysis therefore come to be of the greatest significance in this new orientation of the social sciences in the search for norms which are to be construed upon the base of the individual's responses to his world rather than upon that of an assumed and traditional relationship to that world and to forces and factors outside of that world. But the problem of measuring and correlating these individual responses and of constructing a system of collective behavior out of such fluctuating material is, as we have seen, a difficult one. Statistics is itself a relativity method of measurement and computation of norms. But if diligently pursued we may hope to have from it a more dependable interpretation of collective behavior than we can get from a putatively fixed social order which we know could not remain constant over any considerable period of time and which must be revised and revamped inductively from time to time. But even formal statistics is not always applicable to this process of inductive reconstruction of our theory of the social system or systems. As we said before, the inadequacy of samples because of time and space scatter of data, and other difficulties, often drives us back upon informal statistics.

The most conspicuous form of informal statistics is the case method. It differs from the looser method of informal statistics known as random observation by being, at its best, carefully controlled observation, analysis and comparison of data, from which methods we draw our conclusions informally, without logical syllogism or mathematical equation. At its worst the case method is a process of illustrating a preconception or a prejudice. At its best this method affords us a pretty fair picture of the social reality about us. Cases are also taken from history and from descriptive literature. Perhaps the largest body of sociological writing in this country making any pretense to inductive generalization has been of this type of informal generalization from cases taken from all sorts of sources. Almost all of the work of Ross and much of that of Cooley was based on this procedure. It is unquestionably a more dependable method than that used in part

by some of the older sociologists, such as Small and Ward, of drawing their conclusions from tradition and popular opinion as well as from random observation, or even from subjective conviction not unmixed with the emotional appeal of habituation and self-interest. Even such determination of subjective habituation has an element of the informal statistical method in it, since it may reasonably be supposed that one's habits reflect in no small degree his own composite photograph of the social reality and a sort of consensus of opinion. The traditional religious, political, social, and ethical groups or institutionalized organizations draw their social theories largely from the body of custom and tradition which they have inherited. It is largely a reverbalization of what men have done and thought in the past. Principles based on such a body of behavior gain prestige and carry weight because of the mass of the observed practice behind them, and thus they come to be based on a sort of quasi-informal statistical procedure. Fashion, fad, craze, the current public opinion, blowing hither and thither, exercise a similar conditioning influence upon the opinions and principles of other men. Their principles may be less definite and stable than those of the traditionalists, but they also have some sort of a quasi or informal statistical sanction for what they accept and believe, think, and do.

It is clear that all of these methods of getting at an interpretation of the order and relationships of the social world in which people live involve some sort of comparison or measurement of facts, on the one hand, and some sort of base or point of departure —something accepted as valid or as fixed—for the computation of variations in individual instances, on the other hand. All methods of thinking about social behavior and of constructing systems of normal relationships are based on measurement. Each system is capable of a defense where no better method of measurement can be found. No perfect system—no absolute and non-relative system—of measurement in the social sciences has yet been invented. The most essential thing to keep in mind in using any or all of these systems is to make each one as objective and as impersonally detached in its application and operation as possible.

Even in connection with the best of these methods of abstract measurement and the determination of norms—the statistical—many difficulties arise. These difficulties are even more noticeable in the less rigorous abstract methods of inference here described. When measurement is applied to the so-called experimental method,

the attempt to fix or standardize the conditions of the behavior measured often results in the creation of artificial situations which do not correspond to reality, and the artificial experimental conditions are frequently as non-typical and as unstandardized as those that occur at random in society. The result is that in such cases no useful base of departure is established for measurement and only another poorly correlated social situation is added to the large number we are seeking to fit to some sort of curve or law. Also, when we have measured any set of concrete facts, there still remains the necessity of interpreting these facts, that is, of constructing a law or a general principle through which to see them in perspective, to give them meaning. The interpretative base is so frequently assumed in line with our preconceptions that often the net result is that we have succeeded only in measuring our prejudices. The obvious inference from this is that we must learn to test our presuppositions. For example, an excellent scale for measuring intelligence quotients would not necessarily lead us to a sounder theory of human nature as long as we accepted uncritically the theory of the inheritance of intelligence, nor could we develop a sound theory of social behavior through any amount of statistical or other measurement of responses on the basis of an assumed hypothesis of social instincts.

It has been the purpose of this paper to indicate the fact that any sort of comparison of social behavior is sociological measurement, but that measurement becomes more accurate and dependable in the degree to which it becomes quantitative, and the sociological generalizations based on these measurements are functional for control purposes in the proportion that they are taken from non-fluctuating and invariable environmental bases or zero levels of departure. In our present situation, in which we find ourselves with poorer baselines or standards of departure for measurement than we have units of measurement, we are constantly in need of correctives. Many of our conclusions are doctrinaire. One corrective often used is that of discussion. It is an old method and is honored by the names of Socrates, Plato, and many others. But obviously it can detect only the grosser errors due to ordinary ignorance. It cannot apply the finer standards of measurement, nor can it provide a universal base of departure, except in so far as public opinion may in some cases approximate by a rough informal statistics to such a norm. The pragmatic test of past efficiency or success is also imperfect, partly because

we have no adequate test for the past efficiency of any form of social behavior, nor have we been able to rule out prejudice from our preferences in such matters. One of the best tests we have of standards of social behavior is the observation of great social experiments in collective or social adaptation, such as we find going on around us. These are natural phenomena, not distorted by the attempt to subject them to artificial limitations, and our study of them is closely analogous to studies undertaken by the so-called natural sciences. Human interferences are perhaps more complicated and involved than physical interferences in natural events; hence it is quite as important for us to study the causes of failure as the indications of success in these experiments. But here again we are confronted with the absence of adequate tests of success and failure of these spontaneous political, economic, religious, and other social experiments, except the very imperfect long time test of survival or the even more relative one of subjective satisfaction.

Sociological experiments in the more limited sense of artificially controlled behavior may also have value in correcting our interpretations, and it is possible that through such experiments we may be able to discover the fundamental zero bases of variability, or general formulas of behavior, from which we shall be able to measure the interference of social environment or conditions with the operation of general principles, just as the gunner must compute the operation of the charge and of the atmosphere and of gravity upon the projectile in firing at a target. The law of falling bodies is fulfilled by the result, not distorted by it, although the result never conforms to the formula of the law. Likewise a social law computed on a zero base of variability or fluctuation in social behavior, if it could be discovered through sociological experimentation, statistically computed or otherwise, would be subject to a similar variability in operation under social environmental conditions.

In our present stage of development of sociological measurement we cannot afford to rely exclusively upon any one method of comparison of data, not even upon the statistical; nor can we trust all of our success to sociological experimentation, even if we give the widest possible interpretation to that term. We still have much use in sociology for all the forms of projective logic, preferably inductive, but also for those of the deductive type, when applicable.

THE COUNTY CONSOLIDATION MOVEMENT[1]

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In replying to Professor Jackson's invitation to present a paper on the "County Consolidation Movement," I expressed a doubt as to the appropriateness of the title. I said that while the consolidation of rural counties had been agitated more or less, it is doubtful if there is, as yet, any "movement" in this direction. A search for information on the subject has convinced me that the movement, if it can be so called, has hardly got under way. Certainly it is far behind such proposals as the reorganization of existing county offices, the county manager plan, and city-county consolidation.

County consolidation is given only incidental mention or entirely ignored in the principal books on county government from 1917, when Gilberton referred to the county as "the 'Dark Continent' in American Politics," to the present time, except in Kilpatrick's *Problems in Contemporary County Government.* The twenty-six pages of bibliography in the text by Fairlie and Kneier does not contain a single reference on the subject. However, the authors do cite five different references in a footnote. Only two articles which directly concern county consolidation are listed in the bibliography which accompanies the "Model County Manager Law" as proposed by the National Municipal League. Less than a dozen citations to recent magazine articles are given in *Poole's Index* and *Public Affairs Information Service.* Several recent studies on taxation and financial administration suggest the consolidation of counties, but none of them devotes more than a paragraph or two to the discussion of the subject. Hence, there is practically no literature concerning the movement.

Turning to the field of practical politics, the governors in their messages to state legislatures have given little attention to the problem of consolidating rural counties. In 1926 Governor Smith, in a message on local government, suggested an amendment to the New York constitution permitting consolidation with the consent of the counties affected. Governor Roosevelt has also been

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[1]Read at the Twelfth Annual Meeting of the Southwestern Social Science Association.

quoted as favoring consolidation, but he did not recommend it in his recent message. After suggesting certain changes in county and town government, he said: "This, of course, does not contemplate the consolidation of counties in any sense." Evidently the movement is not yet under way in New York state. Governor Green of Michigan in 1929 recommended the consolidation of sparsely settled counties. The most radical proposal was recently made by Governor Gardner of North Carolina. In his message to the legislature, he said: "I commend to your serious consideration the mandatory consolidation of counties." He further expressed an opinion that the benefits gained from such legislation might pave the way for other consolidations at future sessions of the General Assembly. Perhaps North Carolina may start a real county consolidation movement. Tennessee, of course, furnished the first and only instance of the outright abolition of a county and several plans for county consolidation, but at present the movement in that state seems to be at a standstill.

Let me say here that county consolidation is not and cannot be an isolated movement. It is merely one phase of a general tendency to enlarge the areas of local government. It must necessarily be considered along with the question of the abolition or consolidation of organized townships (where township government exists), school districts, special road districts, and various other special districts. In many states the immediate goal is the county unit plan rather than county consolidation.

That all the areas of local government, and also the relation of the county to the state, must be considered at the same time is clearly recognized by Manny in his stimulating book on *Rural Municipalities*. His criticism that the present areas were laid out arbitrarily, and that they do not reflect existing economic and social conditions, is undoubtedly sound. It does seem, however, that his plan of adapting the essential features of New England town government to other sections of the country is at least thirty years behind time. Good roads, the automobile, telephone, and radio are rapidly breaking down the elements of unity in the "trade-center community" which Manny proposes to recognize and perpetuate.

Modern means of communication and transportation suggest the feasibility of larger counties. A farmer, for example, can drive his car fifty miles in less time than one could drive ten miles

in the days of the horse and buggy. From the standpoint of convenience a county might as well contain 2,500 to 5,000 square miles (as is already true in some of the states represented here) as 500 square miles, which is approximately the median county in the United States today. Hence, the suggestion that the 95 counties in Tennessee be reduced to 11, having about 3,800 square miles each, is not necessarily an unreasonable one. Certainly few citizens in such states as Arkansas, Kansas, Louisiana, Missouri, and Oklahoma would find it inconvenient if the number of counties were reduced, say, to 30 or 40, or about one-third of the present number. A county three times the size of the present one could perhaps retain certain essential elements of local self-government, whereas a much larger county would probably become almost purely an area for the administration of state laws. Whether the county should retain any powers of local self-government or become entirely an administrative unit of the state is a question which must be considered in any plan for county consolidation.

Aside from the automobile and good roads, what are the other reasons for advocating county consolidation? The answer is greater economy and efficiency in local government and administration. It would be cheaper if a number of counties should consolidate and maintain one good courthouse than three or four inadequate ones. It would be less expensive to select one capable officer and the necessary deputies than to elect three or four different officers, as is done at present. (Perhaps I should have said a half-dozen or more instead of three or four, for many of the existing offices ought to be consolidated.) Up-to-date fixtures and office supplies for one office would cost less than poor equipment for three or four offices. The outlay for office supplies, salaries, and overhead expenses in general could be reduced and at the same time the efficiency of county government increased by the consolidation of three or four adjoining counties.

Someone says how much would be saved? I do not know. I doubt if anyone knows. As yet, no scientific study of the economy of county consolidation has been made. And most of what has been written on the subject is misleading, if not sheer nonsense. For example, it is intimated that the consolidation in Tennessee of James and Hamilton counties was responsible for a reduction of 50 per cent in the tax rates of the former. One writer says the rate has been reduced from $2.60 per hundred to $1.30; another

says from $3.80 to $1.40. Kilpatrick, after studying the official records in Chattanooga, claims the rate for county purposes in James County was $2.01 in 1918, $1.95 in 1919, and $1.18 in 1928. He hastens to add that, "This remarkable decrease of nearly a dollar in the tax rate is explained largely by a state-wide revaluation of property that reduced tax rates throughout Tennessee." Note, if you please, that Kilpatrick says tax rates were reduced "throughout Tennessee," not just in James County. Consequently, the much advertised reduction in James County has little significance.

Kilpatrick compares the rate of the former James County with the rate in Hamilton County outside the city of Chattanooga. He says the tax rate for county purposes in James County was $2.01 in 1918 and $1.95 in 1919, while the rate in the rural section of Hamilton County was $1.70 in 1918 and $1.65 in 1919. He maintains that the difference between these rates, i.e., 31 cents in 1918 and 30 cents in 1919, measures insofar as any measure is possible, the effect of the merger upon James County, for after the consolidation it had the same rate as the rural section of Hamilton County. The reduction was only 15.4 per cent instead of 50 per cent or more as intimated by the other writers. Furthermore, it is probable that most of this reduction was due to shifting part of the expense to the citizens of Chattanooga. Perhaps this explains why the proposition carried by more than ten to one in James County, and also why the citizens of Hamilton County were not given an opportunity to vote on the question.

The foregoing is not the only misleading information concerning Tennessee. One writer, after stating that the annual cost of county government in that state is $19,000,000 or an average of $200,000 for each of the 95 counties, says: ". . . the cost of the eleven units, based on the same estimate, would certainly not be over $2,200,000." He adds that "A potential reduction from $19,000,000 to $2,200,000 in the annual cost of local government certainly speaks for itself." Well, it would have to speak for itself, for no one could defend such a statement. It is based upon the assumption that the total expenses of an average county would remain the same even though its area be increased from approximately 440 to 3,820 square miles. No allowance is made for additional clerical help, office supplies, or other expenses incident to a larger area.

A similar mistake is made by a Kansas business man who is quoted by Wager as saying: "If Kansas should fix the population basis for its counties at 50,000, say, it could reduce the expense of its local government by 60 per cent. . ." Such a county would be about three times the size of the average Kansas county. Consequently, this gentleman assumes that the total expenses of a county, formed by the consolidation of three average counties, would be only about one-fifth greater than that of any one of them before their consolidation. No such saving can possibly be expected. Such absurd claims should not be made or repeated by reputable political scientists. To what extent taxes could be reduced and the efficiency of local government increased are problems that deserve scientific investigation. Neither of them should be approached in the spirit of an evangelist, for consolidation is not a panacea for the defects of county government.

Granting that an area larger than the present county is desirable, how can it be secured? This, I believe, is the crux of the problem.

The New York Bureau of Municipal Research, after a survey of county government in Virginia, suggested two ways of securing a larger area. One method was the coöperation of adjoining counties in handling such functions as roads, schools, health, and public welfare. The other method was the complete consolidation of such counties. Since a number of other students of county government have made similar suggestions, one may ask which of these methods, consolidation or coöperation, is the better? Existing conditions in any case must be considered in answering this question. If a scientific investigation shows that certain counties should be consolidated, then that is the better method, provided the people in the areas affected are not actively opposed to it. It is doubtful if anything can be gained by arbitrarily abolishing a county against the wishes of its citizens. While compulsory consolidation is a questionable expedient, it is my opinion that voluntary consolidation (i.e., with the consent or approval of the areas affected) should be not only authorized by law, but encouraged. Where the people are opposed to outright consolidation, coöperation among adjoining counties in handling certain functions is a practical alternative. Indeed such coöperation is perhaps the most practicable means of ultimately securing consolidation.

An analysis of statutes recently enacted in several states indicates that there exists what may be called a county coöperation,

rather than a consolidation, movement with Virginia as its leader. That state has practically solved the county almshouse problem in the poorer sections by substituting district homes. From 1926 to 1929, four district homes were established, and in 1930 two or three more were being planned, according to Kilpatrick. Coöperative jails, health and welfare agencies are now being considered. Concerning this system, Kilpatrick says: "The distinctive feature now marking the relations of the state functional departments and the counties is the elastic rearrangement of territorial lines to permit of the execution of functions that single counties could undertake only with serious difficulty. If the present successful practices are continued, Virginia will demonstrate the practicability of correcting the maladjustment in county areas through administrative coöperation between the state and counties, and the creation of districts to perform functions that extend beyond the boundaries of single counties."

There are statutes in a number of other states which authorize adjoining counties to coöperate for certain purposes. District almshouses in one form or another are authorized in Illinois, Minnesota, Missouri, North Carolina, New Jersey, and Wisconsin; district hospitals in Michigan, Minnesota, Missouri, and Texas; district work houses in Kentucky and Ohio; and district libraries in Arkansas and Texas. In addition, counties may coöperate in road work in California, Kansas, Michigan, Pennsylvania, South Dakota, and Oregon. The existence of such laws recognizes the need for an area larger than the county. As yet, however, few, if any, of the above laws are being used. Perhaps additional encouragement should be offered to the counties.

State aid for particular activities could be used to stimulate coöperation. It has been successfully used as an incentive for the consolidation of local school districts. (Federal grants-in-aid also furnish excellent illustrations of what might be done through state subsidies to the counties.) Financial assistance would give the state an opportunity to prescribe and enforce minimum standards. State aid to local units, if accompanied by effective supervision, is perhaps the most satisfactory method of compromising between administrative centralization and the traditions of local self-government. Furthermore, it is a means of reducing the inequality between the poor and well-to-do counties. Without state aid, coöperation or outright consolidation will not greatly improve the financial ability of the poorer counties.

In conclusion, it is doubtful if there is, as yet, a county consolidation movement, but there should be one. County consolidation, however, is only one phase of a general tendency to enlarge the units of local government. A larger area may be secured through mandatory consolidation, voluntary consolidation, or by coöperation in carrying on particular functions. For most cases, coöperation combined with a policy of state aid and supervision appears to be the most practical method. Coöperation is not only an alternative for county consolidation, but a definite step in that direction.

CURRENT EMERGENCY MEASURES FOR THE RELIEF OF COMMERCIAL BANKS

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No industry in the United States has been harder hit by the current depression than the business of commercial banking, as is all too clearly indicated by the statistics regarding bank failures. During the calendar year 1930, 1326 banks suspended operations, their suspensions involving deposits of $903,954,000. An additional 2290 banks suspended operations in 1931, tying up further deposits aggregating the huge total of $1,759,484,000. And the end is not yet, for Bradstreet's reported 225 other bank failures in the first four weeks of the current year. It seems reasonably certain, then, that unless drastic relief measures are undertaken, this process of bank closings will continue at an accelerating pace throughout the year and conceivably could result in causing a temporarily complete collapse of the whole banking structure.

The effect of this unprecedented series of bank failures upon the business of the nation has been tremendous. Not only have billions of dollars in individual deposits been tied up indefinitely and the business activities of many communities temporarily paralyzed, but the confidence of the public in the solvency of the entire banking system has been seriously impaired. The inevitable result has been a quiet but relentless run on the commercial banks of the country, some depositors shifting balances from bank to bank in an effort to obtain greater safety and others drawing out cash to hoard. In particular, foreign bankers carrying balances in New York have displayed uneasiness, the heavy withdrawals of their deposits last October involving a net gold loss of approximately $630,000,000.

The volume of hoarded currency in the United States on February 1, 1932, was variously estimated at $1,200,000,000 to $1,500,000,000. However, much of this staggering total represents extra till-money reserves carried by the banks themselves, as well as extra cash now needed to conduct business in those communities which are entirely destitute of banking facilities. The pressure of continuous cash withdrawals coupled with the ever-present fear of a serious run has forced a radical change in banking

policy. Huge till-money reserves have been built up, often amounting to from 50 per cent to 75 per cent of the total demand deposit liabilities. This liquidity has been accomplished by the adoption of the expensive policy of borrowing heavily from the reserve banks and selling high grade bond holdings in the market, together with a policy of rigid curtailment of new lending.

The obvious effects of these policies are three. First, deserving short term borrowers have been and are now being refused the bank credit which they require for the normal conduct of their businesses. Second, the high grade bond market has been demoralized, at first by the dumping of large blocks of securities on a declining market, and later by the absence of the normal institutional buying support just when it was most needed as a steadying influence. Third, the earnings of commercial banks have been sharply reduced at the very time that these institutions are being compelled to write off large loan losses. The resultant effect on depositor psychology is obvious.

The present deplorable condition of the commercial banks is, in large part, the result of extremely poor loan administration on the part of individual bankers, ably assisted by our unfortunate system of independent unit banks, a system which invites overbanking and cut-throat competition. Regardless of the underlying responsibility, the position of the banking system became so critical during the last quarter of 1931, that emergency relief measures became a necessity. Once confidence in a banking system is undermined, a vicious circle is set up. Steady runs on the individual banks force them to liquidate their best loans and bonds, thus realizing substantial losses and further undermining confidence. The withdrawal pressure tends to increase while liquidation of loan portfolios becomes increasingly difficult and expensive, resulting in more and more bank failures.

As the banking situation was obviously the key to an improvement in the bond market and to prospective business recovery as well, emergency relief measures were quickly undertaken. At first, the banks attempted to help themselves through region clearing-house associations and, later on, the organization of the now defunct National Credit Corporation. As these measures proved inadequate, the Federal Congress took up the task. Although numerous bills providing emergency relief have been introduced into the Senate and the House, it appears at the present writing (February 24, 1932) that immediate assistance to the hard-pressed commercial banks must come from four major sources:

the Reconstruction Finance Corporation Act, the Glass-Steagall Bill, the Anti-Hoarding Drive initiated by President Hoover, and the Glass Banking Reform Bill. Some assistance may possibly be afforded by Mr. Hoover's campaign against short selling in the security and commodity markets, although this is at best questionable. Because of space limitations, it will be impossible in this article to attempt more than a general summary of these four measures.

The Reconstruction Finance Corporation Act, the first emergency banking legislation to be enacted by the present Congress, was approved by the President on January 22, 1932. This Act provides for the creation of a corporation with its main office in Washington and with such branches or agencies as the directors may organize, located elsewhere. The corporation is to be managed by seven directors, of whom three, the Secretary of the Treasury, the Governor of the Federal Reserve Board, and the Farm Loan Commissioner, are to be *ex officio*. The life of the corporation is definitely limited to ten years, with specific provisions for the liquidation of its affairs at the expiration of that period. Loan funds are to be provided through the sale of $500,000,000 of capital stock to the United States Treasury, and permission to issue a maximum (at any one time outstanding) of $1,500,000,000 in five year bonds or short term notes. These obligations, if issued, are to be unconditionally guaranteed by the United States Government, tax exempt (except as to surtaxes, estate, inheritance, and gift taxes), and are to bear such interest rates as the directors may determine.

The purpose of the Corporation is "to aid in financing agriculture, commerce, and industry, including facilitating the exportation of agricultural and other products." To accomplish this purpose, the Corporation is empowered to extend loans to "any bank, savings bank, trust company, building and loan association, insurance company, mortgage loan company, credit union, federal land bank, joint stock land bank, federal intermediate credit bank, agricultural credit corporation, (or) live stock credit corporation, organized under the laws of any state or of the United States, including loans secured by the assets of any bank that is closed or in process of liquidation . . . ." The loans extended are to be fully secured by collateral, the directors of the Corporation having absolute authority to define such acceptability. Loans are to run for not more than three years and are eligible for renewal up to

a maximum of two additional years. Individual borrowings are limited to not more than five per cent of the Corporation's outstanding stock and bonds.

Several other provisions regarding the loans of the Corporation should be noted. Not more than $200,000,000 can be applied to the relief of closed banks or banks in process of liquidation. To provide short term credit to farmers who are unable to finance their 1932 crops locally, the sum of one-tenth of the Corporation's capital funds, *i.e.* $50,000,000 to $200,000,000, is allocated to the Secretary of Agriculture, to be loaned under his supervision. With the approval of the Interstate Commerce Commission, the Corporation is also empowered to extend short term loans to railroads engaged in interstate commerce. Further, the Corporation is authorized to accept secured drafts drawn upon it, which originate out of transactions involving the exportation of agricultural or other products sold to buyers in foreign countries.

From these provisions it can be seen that the primary purpose of the Reconstruction Corporation is to lend, out of what is hoped to be a revolving fund, to temporarily embarassed financial institutions upon the deposit of collateral security. This simply means lending on "frozen assets," upon which the banks are at present unable to realize. Since the power to define the acceptability of collateral is given unrestrictedly to the directors of the Corporation, tremendous responsibility is placed upon their shoulders. Should they insist upon the highest quality collateral, the Corporation will probably be able to operate at a profit and keep the fund revolving, but, on the other hand, the most distressed banks will obtain little help. Should the directors accept doubtful or worthless collateral, the weakest banks will be most benefited, but the revolving fund will soon "freeze" and the inevitable losses will be passed on to the great tax-paying public.

The administrative machinery of this gigantic corporation was set up with incredible speed and loaning operations were under way before the middle of February. It is much too early to predict the outcome of the venture, but it is to be hoped that the mere presence of this huge reserve fund will tend to restore confidence in the banks and thus render unnecessary its full utilization.

At the time of this writing (February 24), the Glass-Steagall Bill is in process of congressional evolution, although there is every prospect that it will be enacted into law within several days at

latest. Specific details of the bill, therefore, cannot be discussed, but it is possible to outline the general sense of the measure as it is reported in the daily press.

Senator Glass agreed to frame and sponsor this bill as the result of a conference with President Hoover some two weeks ago. In so doing, he reversed his time honored stand against any lowering of the rediscount standards of the federal reserve system, and thereby aroused considerable speculation as to the compelling reason. However, a comparison of this bill with the Glass Banking Reform Bill, which is discussed briefly in later pages, will reveal that the same emergency provision regarding reserve bank lending is contained in the other measure. As the latter bill will undoubtedly meet much opposition in its passage through Congress and therefore may be delayed indefinitely, it is reasonable to suppose that Senator Glass was prevailed upon to extract this emergency section from his original bill and introduce it separately with a view to obtaining prompt action.

The Glass-Steagall Bill is distinctly an emergency measure. As originally written, it was to expire at the end of one year, although it now seems probable that the Congress will lengthen its life to twice that period of time. The bill carries two important provisions. In the first place, it permits the substitution of United States bonds for commercial paper as collateral behind federal reserve notes. The present law requires a reserve of 40 per cent in gold behind federal reserve notes and provides that the remaining 60 per cent can be commercial paper, but, if this amount of commercial paper is not available, that the deficiency must be made up in gold. Under normal conditions, the reserve banks do not hold enough commercial paper to provide this 60 per cent backing for their reserve notes, with the result that the required gold reserve is much greater than 40 per cent. On February 17, 1932, it amounted to 80 per cent approximately. The object of this provision in the Glass-Steagall Bill is to release this excess gold reserve above the 40 per cent limit by permitting government bonds to take the place of any commercial paper deficiency.

According to the combined statement of condition of the federal reserve banks as of February 17, 1932, the sum of $1,047,648,000 would be thus released and become "free gold." This gold could provide the necessary reserve for an expansion of credit amounting approximately to $10,000,000,000, or for a further federal reserve note issue of $2,619,120,000. The mere addition of this huge stock to the free gold holdings of the system can be expected

to strengthen the banking structure materially and to fortify it against a repetition of the foreign depositor raids of last October.

The second major provision of the Glass-Steagall Bill relates to emergency borrowing by distressed banks. Specifically, the bill provides that member banks, in groups of five or more, can borrow from the federal reserve banks on their secured joint and several promisory notes. The collateral security which the borrowing banks offer for these loans must be approved by the Federal Reserve Board. It is expected, of course, that this collateral will comprise paper not now eligible for rediscount. There is some possibility that the largest banks will be denied this sort of access to the reserve banks, as the Senate has made this provision applicable only to banks having a capitalization of less than $2,000,000. There is also a possibility that this section of the bill permitting greater access to reserve bank credit may be made permanent.

The net effect of this provision in the Glass-Steagall Bill is to lower the rediscount standards of the federal reserve system by making it possible for member banks to borrow on any sort of collateral. The responsibility for the wise extension of such credit will be placed squarely on the shoulders of the Federal Reserve Board, which agency will doubtless be given *carte blanche* in deciding upon the acceptability of collateral offered. The Board will evidently be in a position either to maintain the present high standard of requirements or to throw open the flood gates of easy credit. It is open to speculation as to just how readily distressed banks would be able to take advantage of this relief. Just now, at least, it would not be an easy matter to find member banks which would be willing to endorse the promissory notes of an embarassed brother whose ultimate solvency is doubtful.

The essential differences between the lending provisions of the Reconstruction Finance Corporation and the Glass-Steagall Bill are quite apparent. The former agency can lend to any commercial bank, savings bank, mortgage bank, or insurance company, whereas the Glass-Steagall Bill permits loans only to members of the federal reserve system. The former secures its loan funds from the United States Treasury, or at least upon federal government credit, while the latter bill taps the resources of the federal reserve system. The plan of lending as provided by the two bills is much the same except that the Reconstruction Corporation Act looks toward somewhat longer loan maturities.

In order to bring back into the banks some portion at least of the currency now being hoarded by individual depositors, President Hoover announced several weeks ago plans for an intensive "anti-hoarding drive." Colonel Frank Knox of Chicago was appointed to plan out the campaign, organize the administrative machinery, and to direct the drive. Although precise details as to the plan of procedure are as yet unavailable, the general program can be learned from current newspaper articles.

It is proposed to bring the hoarded currency back into circulation through the sale of attractively priced government bonds to bank depositors and erstwhile depositors. To accomplish this, an elaborate drive with copious advertising and publicity has been planned for the week of March 7–14. The procedure to be followed, as well as the machinery to be used, is closely patterned upon the technique of the liberty bond flotations during the war. The individual federal reserve banks will direct the drive in their respective districts. The actual selling agents will be the commercial banks themselves. These latter banks will subscribe for the bonds, paying for them with a deposit credit in favor of the local reserve bank which will act in the capacity of fiscal agent for the federal government. The commercial banks will then resell the bonds to their customers, who will make payment either in the form of a check on their deposit balances or, much more preferably, with hoarded currency. If the former mode of payment is used, the total deposits of the selling bank will remain unchanged, the bond buyer's deposit being replaced with a credit to the reserve bank as fiscal agent. If the latter mode of payment is used, the selling bank will gain cash in exchange for a deposit credit. Only banks which are designated as "war loan depositaries" will be permitted to pay for their bond subscriptions by crediting a reserve bank deposit account.

The success of this campaign in recovering hoarded currency will depend in part on the ability to generate popular enthusiasm, but much more upon the attractiveness of the bonds offered for sale. Present plans, apparently, call for the issuance of treasury certificates to mature at the end of one year but callable on 60 days notice, in denominations of $50, $100, and $500, and bearing an interest rate of from 1½ per cent to 2 per cent. Whether treasury certificates carrying such a low rate of return will prove to be sufficiently attractive to call in a large volume of hoarded currency can be seriously doubted. A better plan would seem

to be the offering of a high yield security affording, say, a four per cent return, which would be sold only for cash.

The Glass Banking Reform Bill, as it will be styled in this article, looks primarily to a permanent revision of the commercial banking system and only incidentally to emergency relief. Further, this bill, as it was originally reported to the Senate by its framers, is not the product of the present banking emergency but rather represents a painstakingly careful attempt to correct certain banking abuses and to improve the banking system. Nevertheless, because of its bearing on the present crisis, the major provisions of the bill will be briefly outlined.

A sub-committee (of the Senate Committee on Banking and Currency), composed of Senators Glass, Norbeck, Townsend, Buckley, and Walcott, has been working on this bill for more than a year. This sub-committee originally undertook to discover the extent to which the commercial banking system of the country was responsible for the financial collapse of 1929, and the general business situation prevailing since that time. As the bill was first introduced into the Senate by Senator Glass on January 21, 1932, it was a very voluminous document covering a great many widely different topics. So much opposition developed with respect to certain sections of the bill that it was almost immediately referred back to the sub-committee for further study and revision. It is therefore impossible to discuss the bill except as it was originally presented. That it will be radically altered before enactment into law seems a foregone conclusion.

Because the Glass Banking Reform Bill deals with such a heterogeneous mass of topics, it is practically impossible to present a clear-cut summary classification of the various sections. Among the more important provisions of the measure, however, are the following. Rigid restriction of the use of reserve bank credit to finance security speculation is provided. Member banks are required to divest themselves of their investment banking affiliates and are forbidden to deal in or underwrite security flotations. Some regulation of group and chain banks is provided. Provision is made for emergency loans to distressed member banks on their joint and several promissory notes secured by paper which is not now eligible for rediscount. A liquidating corporation is set up to buy the assets of failed banks. A specific organization is provided to oversee and control the open market operations of the reserve banks. The dealings of individual reserve banks with foreign bankers are carefully regulated. The

Secretary of the Treasury is removed from *ex officio* membership in the Federal Reserve Board. Broker's loans by individuals or companies engaged in commerce are forbidden. National banks are permitted to operate statewide branch banking systems in those states which permit branch banking. (There are nine such states at present.)

In addition, the bill contains numerous minor provisions. Thus the capital of national banks is fixed at not less than fifteen per cent of the banks' outstanding deposits. Member banks are restricted as to interest rates which they may pay on deposit balances. Lombard loans, *i.e.* fifteen day collateral loans to member banks, are to be discounted at one per cent above the current bank rate, and are to be ineligible to secure federal reserve note circulation. Legal reserve requirements are revised slightly. *Et cetera.*

Of the many provisions of the bill, two in particular stand out as emergency measures which would bear directly on the present situation. These are the provisions permitting emergency loans to member banks on now ineligible paper, and the setting up of a liquidating corporation within the federal reserve system to purchase the assets of failed banks.

The original Banking Reform Bill provided for emergency relief to distressed banks by permitting the individual reserve banks, with the consent of the Federal Reserve Board, to make advances to groups of ten or more member banks upon their joint and several promissory notes secured by acceptable collateral. Such advances would be made upon the security of paper not now eligible for rediscount, the Federal Reserve Board having authority to determine the acceptability of such collateral. Discriminatory interest rates were to be charged on these distress loans. A premium of one-half per cent over the reserve bank discount rate would be assessed for the first 90 days that such a loan was outstanding and this premium would be progressively increased by an additional one-quarter of one per cent for each further 90 days of loan extension.

Except as to minor details, the Glass-Steagall Bill has copied this emergency provision outright. There is some prospect, therefore, that this section of the Banking Reform Bill will be omitted in the process of revising that document, although it may be included in the final draft with a view to rendering the provision permanent.

The second emergency provision of the Glass Banking Reform Bill is of more immediate interest to some thousands of bank depositors. A permanent liquidating corporation is to be set up within the federal reserve system to purchase the assets of any failed member bank and thus permit depositors to obtain the immediate use of a part or all of their deposit balances. The capital stock of this corporation is to be purchased by the individual reserve banks, each bank subscribing to the extent of one-half of its surplus. As of February 17th, a capital fund of almost $130,000,000 would be thus provided, which would serve as a revolving fund for investment in these assets. To afford relief to depositors in failed non-member banks, the bill provides for an appropriation of $200,000,000 from the United States Treasury, to be turned over to the liquidating corporation as needed to purchase the assets of such banks within the next two years.

It will be recalled that this idea of affording quick relief to the depositors of failed banks has been incorporated in the Reconstruction Finance Corporation Act. The Reconstruction Corporation is permitted to loan to bank receivers upon the collateral of failed bank assets up to an aggregate amount of $200,000,000. Once again, it is possible that the revised Banking Reform Bill will retain this provision in order to make such a liquidating corporation a permanent fixture.

Considerable opposition to certain provisions of the Glass Banking Reform Bill will undoubtedly develop and the progress of the measure through Congress will almost certainly be stormy and long drawn out. The American Bankers Association has already indicated that it will oppose the provisions permitting qualitative control of credit by the reserve banks and discrimination against fifteen day collateral loans, as well as certain other sections. The general reaction of bankers to the bill is that it is much milder as to reforms than was expected, especially with reference to branch banking. A very considerable and rapidly growing sentiment in favor of a liberal branch banking law appears to have developed. It is to be devoutly hoped that this sentiment may continue to grow so as to permit the establishment of a nation-wide branch banking system at the earliest possible moment.

The general object of the four relief measures just described is to restore public confidence in the banking system so as to make possible the normal functioning of the nation's commercial banks. It is proposed to achieve this goal by bringing into the

banks large sums of currency now hoarded, and by thawing out bank assets which are now frozen, the United States Treasury and the federal reserve system being utilized to supply the necessary heat. Should the measures undertaken prove to be successful, panicky cash withdrawals from the banks will cease and the banks, freed from the constant threat of runs, can be expected to loan their huge cash reserves freely to credit-starved business men and bond markets.

The success of the campaign will depend in part on the psychological reaction of the public and, in part, on the effectiveness of the administration. The plan to afford relief to the depositors of failed banks will immediately benefit some, at least, of the communities crippled by bank failures. The success of the "anti-hoarding drive" is at least doubtful since the premium offered for surrendering hoarded cash is scarcely attractive. The program for thawing the frozen assets of solvent banks is the crux of the campaign. The directors of the Reconstruction Corporation, together with the Federal Reserve Board, must decide at once between a policy of copious lending and one of careful conservative credit extension.

Should the administrations adopt the former policy, they will grant practically every loan request received regardless of the collateral offered, in the hope of making such borrowing so easy and certain that the remaining banks, feeling assured of adequate emergency credit, will resume normal lending operations. Such a policy, although entailing heavy losses to the lending agencies, will bring the quickest results and conceivably could restore the commercial banking system to normalcy within a few months. Should the other loan policy be adopted, however, the relatively sound banks will be virtually the only acceptable borrowers. Their position will be greatly strengthened while the distressed banks will obtain little or no relief. This program would involve the loan agencies in minimum losses but would mean many more bank failures this year and a much more gradual improvement in the banking system as a whole.

BOOK REVIEWS

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Pipkin, Charles W., *Social Politics and Modern Democracies.* (New York: The Macmillan Company, 1931, 2 vols., pp. xxxiv, 378, viii, 418.)

A famous Frenchman once said that the French arrive late at everything. Whether or not this is true of all things, it is at least relatively true in respect of social legislation and administration, if the French be compared with the British, as they have been in Professor Pipkin's two solid volumes on *Social Politics and Modern Democracies.* The work concerns itself only with Great Britain and France, and even so it is built on a framework so formidable that its undertaking would have frightened away anyone less industrious, less courageous, and less able than Professor Pipkin; but, between the lines and behind the volumes, American readers will envisage the United States. It will be perceived bringing up the rear; for of the three countries, Great Britain, France, and the United States, which it is customary to say exert the greatest world influence in the realm of Political Science, it is in general true that in social politics America runs a somewhat poor third.

This is a thesis which is suggested, though not explicitly maintained, in *Social Politics and Modern Democracies.* However, if such an argument is unexpressed and if the corollary is likewise not expressly drawn that America has in social politics much to learn from Great Britain and France, there is none the less set out an astonishing wealth of material from which lessons are to be derived. This is in reality the important point. Professor Pipkin has furnished to those who are interested or ought to be interested two volumes which display as their basis an unusually thorough documentation and which manifest throughout other qualities of the highest type of scholarship.

To what extent, if at all, the lessons to be learned from other countries will be learned, it is doubtless impossible to say. No great cynicism is necessary for the formulation of the impression that people in large measure insist on learning for themselves things which they might in many ways more easily learn from others. This is in especially marked degree true of America, where conditions which are to some extent peculiar explain a nationalism which is in many ways peculiar. It would doubtless surprise intelligent Americans if they really appreciated fully the degree in which it is true that many conditions which they conceive to be attributable to the peculiar position of the United States in world affairs are in reality conditions resultant from definite backwardness. Lip service to progress and "rugged individualism" does not seem destined greatly to aid in a solution of the problems of social justice. The prevailing spirit and the prevailing attitude in this country of the sort of "capitalist" and "business man" who apparently will not be convinced that the old order can change have in the past been paralleled with astonishing exactness in the old countries, Great Britain and France. It is not easy to say whether the corresponding classes in the old countries were less rugged and stubborn

than their American successors or whether deceitful appearances result from the fact that the former did learn after so long a time whereas the backwardness of the latter is rendered more pronounced by the failure to profit from experience. At all events, the judicious reader will find all the pertinent considerations, so far as France and Great Britain are concerned, in the volumes of Professor Pipkin.

One of Professor Pipkin's volumes, as has been hinted, deals with Great Britain, the second with France. In the first volume, the author, after sketching the background of the social movement in England and British social politics at the beginning of the present century, plunges into an account of British social legislation. In successive chapters, he treats of this social legislation—and by the same token of its administration—in its connection with conditions of work, with housing and town planning, with pensions, with standards of living, with social insurance, and with the Labor Unions. The last mentioned topic furnishes a natural transition to a treatment of the relations of the political and industrial aspects of the Labor Movement.

In the volume on France, the author follows a similar plan. There is an introductory sketch of the French social movement. Then, there are, at proper intervals, chapters on French social legislation and its connection with conditions of work, housing, social insurance, and the like. Similarly, the relations of political and industrial aspects of the Labor Movement receive able treatment. Finally, particularly important and interesting chapters owe their inclusion to peculiar French conditions and to the author's scholarly acquaintance with them. These are the chapters dealing with such things as the advisory and consultative institutions of France and the organization of Labor in the State.

Professor Pipkin's work is so ambitious in its scope and proportions that to point out incidental and inevitable minor errors of detail would be an impertinence. His volumes are authoritative and definitive in the best sense of those words. In them is to be found a full and arresting account of what two old countries, which are also modern democracies, have done to solve the problems of the industrial era. As has been indicated, they are a challenge to America, which, in spite of much oratory about its progressive industrialism and incomparable democracy, suffers by comparison with Great Britain and France. This is known to all reasonably frank and judicious students of public affairs. However, for the comparison to be genuinely helpful and to rest on solid foundations, a work similar to Professor Pipkin's volumes but dealing with the United States is needed. It is to be hoped that Professor Pipkin will before long do for his own country what he has so ably done for the two countries in the social politics of which he is so manifestly at home.

R. K. Gooch.

University of Virginia.

Hoover, Calvin B., *The Economic Life of Soviet Russia.* (New York: The Macmillan Company, 1931, pp. 361.)

To the Western world and to Americans in particular, accustomed to the system of private enterprise, Soviet Russia is a growing puzzle. Once confident of the predestined failure of the Bolshevist experiment, the West, hard-pressed by its own economic ills, now looks upon it with apprehension and

curiosity. The singular timeliness of Professor Hoover's work is, hence, apparent.

This book was written as the result of study in the Soviet Union in 1929–1930 under the auspices of the Social Science Research Council. Its author is a trained economist, and shows by his use of the sources and by his method of treatment that he is well qualified to deal with his subject. "Almost without exception" his sources are of Soviet origin, but his careful handling of them seems to justify his prefatory remark that they are subject to discount. The book is a comprehensive study of not merely the Five-Year Plan, but of the whole Soviet economic organization.

It is to be regreted that a work of such merit should be marred by considerable awkwardness and crudity of style. The book gives an impression of hasty writing. The author is evidently cognizant of the complexities of his subject, and is so convinced of its importance that he feels he must present it to the public with all possible speed. In consequence he has made sacrifices in organization and clarity. The style is uneven, and from clarity and conciseness lapses at times into dullness and monotony. The author is too fond of adding unnecessary syllables and using obsolete words, as for example: *transferal, organizational, theoretician, contractation, valuta, preventative.* Occasionally there is a sentence which is cumbersome and, to the average reader, meaningless, as, for example, the following which occurs on page 318: "The causes of these great changes in the planned economy for 1929–1930 in the Control Figures for that year as compared with the basic estimates of the Plan are due to several different causes." The reviewer also believes that considerable improvement could be made in the organization of subject matter. To cite an instance, the chapter on the Coöperatives ought to precede or be merged into the chapters on the Organization of Industry and Agriculture, since the former are preliminary organizations in the scheme of Soviet economy.

The titles of a few of the outstanding chapters will indicate the scope of the book: "Productivity and Capital Investment," "Internal Trade," "Foreign Trade," "Money," "Labour," "Planned Economy," and "Russian Communism and Human Welfare." Fundamentally the Soviet economic system is a gigantic State enterprise, its ramifications more complex than those of American "Big Business." Indeed, in organization and methods it bears a strong resemblance to the "Trust," so familiar in our own recent economic development. The typical Russian industrial combination may well be compared to the United States Steel Corporation with its chain of control from the mine to the finished product. But these great Combinations are under the mastery of the Supreme Economic Council, which "has a certain similarity to the Department of Commerce . . . , but its powers are much greater and its field of authority much wider" (p. 14).

Capital in the Soviet Union is accumulated through control of prices. The price level for consumption goods is kept high so as to insure high profits for industry. Practically all profits, however, are paid to the State, which in turn uses the fund to lend capital to, or to subsidize outright, those industries whose need is greatest. The great objective of the Five-Year Plan is to develop the instruments of production (machinery, tools, farm tractors, etc.) to the utmost. Consequently all sacrifices are made to import

these goods and to subsidize their manufacture. Price regulation and the State monopoly of foreign trade are devoted to their benefit.

American citizens, whether farmers or manufacturers of machinery, should get little comfort out of this book. "Soviet trade is a particularly disturbing factor on international markets," says Professor Hoover, as goods are sold abroad not because there is no market for them at home, but because the authorities order them to be sold in exchange for necessary imports. The latter are necessarily as yet confined to the instruments of production, but with the attainment of the Five-Year Plan their importation from abroad will, it is calculated, cease.

It is interesting to know that in this Proletarian State there are an elaborate banking system and a currency which is managed not with regard to the gold reserve, but according to the productive needs of the economic system. The functions of money have shrunk, and "people no longer desire money itself with the almost unreasoning intensity which is frequently characteristic of bourgeois society" (p. 212). Indeed it is the aim of the Soviet authorities to substitute a system of payments through bank credits, thus doing away entirely with the circulating medium.

Equally anomalous in this doctrinaire State is the presence of labor unions, of a differential system of wages, and of the right of collective bargaining. These factors, however, are steadily disappearing in the face of the Communist Party, which dominates the trade unions just as it dominates the Government.

Will the Soviet economy prove successful? Professor Hoover gives no unqualified answer. He presents certain obstacles which are serious, but not insuperable. The credit system has been expanded to the limit, but a disastrous crisis resulting from inflation he thinks unlikely because the Soviet Government has the power to control and because the money system is losing its importance. He is doubtful if the proletariat may expect to be better off under this system than under the capitalistic regime, but thinks it "probable that the standard of living in Russia will never reach a level of comparative luxury such as that attained by the bourgeoisie in capitalistic countries" (p. 331). The *present* conditions of living in Russia he acknowledges to be fraught with hardship for the great majority of the population.

The Five-Year Plan, he believes, stands the chance of reasonable success, provided it is not modified violently or subjected to excessive Party enthusiasms. In the end the answer to the question rests with human nature itself, and particularly with Russian nature. Can the Russian people bear the necessary hardships and scarcity of needed food and goods until the demands of the Five-Year Plan have been met? Can the Communist Party restrain itself from excessive zeal and haste? And can the leaders of the Party themselves bear up indefinitely under the enormous psychological strain and struggle to which they are constantly exposed?

R. W. Van Alstyne.

State Teachers College, Chico, California.

Cheng, Seymour Ching-Yuan, *Schemes for the Federation of the British Empire.* (New York: Columbia University Press, 1931, pp. 313.)

This book contains six chapters. Chapter I deals with the rise and development of the idea of federation within the British Empire, with special

attention to the activities of the Imperial Federation League (1884–1891) and the Round Table Group (1910–1917). Chapters II and III analyze in chronological order the schemes of federation proposed by twenty-three different publicists between 1850 and 1917. Many of these publicists at some time or other held some sort of official position that gave them considerable insight into the problems they were discussing. The analyses of their schemes disclose their views regarding the political institutions that would have to be established, such as the imperial parliament, the imperial executive and the federal court, and regarding also the units to be federated and India. As regards the federal parliament, most of the twenty-three publicists preferred that it should be bicameral in form, that is, should be the existing parliament reconstructed instead of a new one specially created, that population should be the basis of representation, that the representatives should be elected by the local parliaments, and that the federal parliament should have the power of direct taxation. As regards the federal executive, all twenty-three were agreed that it should be separated from any local administration and should be responsible to the federal parliament. As regards the federal court, only ten discussed the matter at all, and of these ten only six emphasized the advisability and the usefulness of such an institution. Twelve proposed to give other parts of the empire than self-governing colonies some sort of representation in the federal parliament, and most of the twenty-three favored giving India representation in the upper house of the federal parliament only or some other equally arbitrary representation.

Chapter IV summarizes the arguments in favor of federation and chapter V summarizes those against. Chapter VI concludes the discussion by way of raising two questions: first, "Is imperial federation possible?" and second, "Is it necessary?" Negative answers are given to both questions. In support of his conclusion on the first of these two questions, the author cites the views and opinions of many persons of high rank and distinction in the British Empire. Their views and opinions were, by the way, only a continuation of the arguments against federation, which had been outlined in the preceding chapter, and might well have been included in it. In support of his conclusion regarding the second question, he discusses several different mechanisms, such as the Imperial Conference, the Imperial Defense Committee, the Imperial War Cabinet, the idea of a resident minister, the representation of the dominions at the Paris Peace Conference and in the League of Nations, the direct diplomatic representation of the dominions in foreign countries, and the report of the Inter-Imperial Relations Committee adopted at the Imperial Conference in 1926, all of which "have helped to maintain the unity of the empire and which may be further developed to meet the constitutional needs of the empire."

There is very little of adverse criticism which the reviewer can offer to this excellent study. He wonders, however, why advantage was not taken of the opportunity to elaborate on the zeal of the New Zealanders in favor of federation and the persistent opposition of the Canadians to the scheme. He thinks, moreover, that he should note the fact that the index is by no means as comprehensive as it might be. The bibliography, however, is very

extensive and the footnote references are sufficient indication as the authenticity of the subject matter presented in the book.

E. M. VIOLETTE.

Louisiana State University.

Carson, William J. (Editor), *The Coming of Industry to the South.* (Philadelphia, 1931, being Volume 153, *The Annals of the American Academy of Political and Social Science*, January, 1931, pp. iv, 296.)

Under the direction of the editor twenty-six collaborators have contributed to this volume on industry in the South. Part I, entitled "Southern Industrial Development," is given over to the history of manufacturing in the South. Harriet L. Herring, Holland Thompson, and Broadus Mitchell call attention to the fact that there was more manufacturing in the South of the slave era than is generally supposed. About 1880 (Reconstruction out of the way) Southern industry began to make substantial progress, and, except for occasional short periods of reversal, the movement has continued these fifty years. The South's annual industrial output is now worth almost eight billion dollars which represents 14 per cent of the value of the nation's production of manufactured goods.

In Part II of the volume, entitled "Industries and Industrial Resources of the South," textiles, manufactured tobacco, iron and steel, lumber, chemical industries, mining, and power are dealt with. The South produced 67 per cent of the country's yardage in woven cotton goods, 54 per cent of the nation's manufactured tobacco measured in value, and eleven and six-tenths per cent of the pig iron. Although a great part of Southern timber resources has been used or destroyed, Joseph Hyde Pratt, Executive Secretary, Southern Forestry Congress, predicts that some communities of the South will yet attain preëminence in the wood-using industries. The South produces approximately one-fourth of the nation's chemical products measured in value, turning out 96.6 per cent of the cottonseed products, 61.9 per cent of the rayon, and doing 37.9 per cent of the country's petroleum refining.

Part IV, pertaining to "Labor and Labor Problems in Southern Industry," contains five excellent articles. Wages in the South are comparatively low, and unionism, because of the large number of ex-farmers who find low wages at the mills more profitable than farming, has met with many difficulties. In some communities negroes have taken jobs which the white men covet, thus adding to racial difficulties. In Part V eight contributors have written on various phases of "Problems of Economic and Social Adjustment to Industrial Changes." It is generally agreed that if Southern farms are to be made profitable, they must be enlarged so that fewer men and more machinery will be used. But if men are thus displaced, they must be absorbed by industries. Hence, industrialization is the only course through which the South may expect to attain greater prosperity. It is also brought out that the coming of industry tends to upset tax systems where the general property tax is the principal source of public revenue. New taxes must be devised and applied, taking care always that they are fairly distributed. The Southern states, almost without exception, are behind other states in the matter of social legislation calculated to protect wage earners.

The word *South* in the title might well be changed to *Southeast.* In fact, except for the tables and an occasional very brief reference, the reader

would not suspect that the writers considered Louisiana, Arkansas, Oklahoma, and Texas a part of the South. The South's greatest industry, oil production and refining, is almost entirely ignored. However, adequate treatment of the region west of the Mississippi would have called for making the volume considerably larger. The papers are packed with information and the volume constitutes an excellent survey of industry in the Southeast.

R. N. RICHARDSON.

Simmons University.

Lasker, Bruno, *Filipino Immigration to Continental United States and to Hawaii.* (Chicago: The University of Chicago Press, 1931, pp. xii, 439.)

This volume is the first of a series of publications that the American Council, Institute of Public Relations, prepared to present to the China conference of the Institute in the fall of 1931, to be used in its discussion of the new phases and developments of restrictive immigration policies. The American Council offered the study as part of the informational background necessary for profitable discussion.

The author investigates the causes and extent of Filipino immigration and the problems resulting therefrom in the United States and in Hawaii. The chapters on economic and social status of the Filipino in the United States contain a vast amount of materials which throw light upon the general problem. The greatest value of the book is the critical analysis of the policies and programs of the United States, which are reviewed in the light of the policies and programs of Hawaii and the Philippine Islands. The author is to be commended for presenting the case for and against exclusion from an impersonal point of view.

Mr. Lasker disarms his critics by stating that "the need for a rapid survey to make the findings available for a discussion has precluded the employment of methods that would require detailed research." Nor does he claim for the study an exactitude and comprehensiveness of statement which might be insisted upon if the purpose were primarily to make an original contribution to the scientific study of migration. In his concluding chapter he admits the obvious futility of an effort to solve the problem without an investigation of the other important related problems. Exclusion would undoubtedly strengthen the claims of the Philippines for independence; it would upset the labor situation in Hawaii; it would open anew a discussion of the attitude of the United States toward the peoples of the Far East.

LEON G. HALDEN.

Sam Houston State Teachers College.

Chicago, Citizens' Police Committee, *Chicago Police Problems.* (Chicago: University of Chicago Press, 1931, pp. xix, 281.)

This is a thorough analysis of the whole Chicago police system with definite and detailed recommendations for its improvement. The Citizens' Police Committee, with President Walter Dill Scott of Northwestern University heading its supervisory committee and Professor Leonard D. White of the University of Chicago as chairman of the Operating Committee, had charge of the survey. Mr. Bruce Smith, the police expert of the National Institute of Public Administration, served as director of the staff of investigators.

Questions of police corruption were excluded, but the investigators found a condition that in itself was sufficient to explain the low-grade police service received in Chicago. The number of divisions directly under the commissioner was found to be so great that adequate supervision was impossible. The Committee recommended a more unified organization with control by the commissioner over a smaller number of divisions. The position of the commissioner as a leader was found to be weakened by malign political influences, his short tenure of office, and reversals of his disciplinary decisions. The Committee favors a more continuous leadership in the person of the commissioner and improvement of his relations with the Civil Service Commission. Their ineffective method of selecting, managing, and promoting the policemen makes the position of the police commissioner very difficult. Particularly significant here is the fact that the Civil Service Commission can reinstate a man so often that he finally fulfills his probationary period, regardless of frequent discharges by the commissioner. The police training school for recruits was found inadequate and recommendations are made for its improvement. Regulation of traffic, difficult enough without special complications, is made worse by a separate park police for nine of the twenty park districts. In the larger park districts they confine their efforts almost wholly to traffic control. The resulting decentralization is deplored.

Police records were in fair condition, but their value as instruments of control had been ignored or neglected. Management of the police property and equipment was found to be very poor and the investigators felt that civilians could do the work better than the police themselves, since it is really not police work. In provision for compensation and welfare, it was found that Chicago had gone about as far as any American community. A pension system based on actuarial standards, sick leaves with pay, annuities upon retirement, sickness and death benefits, and protection for dependents, are part of a sometimes too easy-going system.

As to the numerical strength of the police, Chicago was found to be tenth in a group of large cities in the number of police department employees per one thousand population, though four points above the average in a group of thirty-four cities with 200,000 population or more. An increase in the numerical strength of the police is recommended, though not until the whole force shall have been reorganized. Even with this condition, three members of the Committee, including Professor White, do not concur in the Staff's recommendations for an increase so great that it would put Chicago considerably beyond the per capita of ratio of foot patrol found in any other large American city.

The acuteness of the crime situation in all of our large cities makes this study a timely one.

FRANK M. STEWART.

The University of Texas.

Owsley, Frank Lawrence. *King Cotton Diplomacy, Foreign Relations of the Confederate States of America.* (Chicago: The University of Chicago Press, 1931, pp. xii, 617.)

Under the title, *King Cotton Diplomacy*, Dr. Frank L. Owsley has written an interesting and fascinating history of the foreign relations of the Confederacy. The story is so intriguing that it is difficult to lay the book

down. Nineteen chapters, covering 578 pages, a bibliography of 14 pages, and a really workable index of 25 pages make up the book.

In his preface Dr. Owsley states that he found the writing of a diplomatic history of the Confederacy "not only desirable but essential to a clearer understanding of the history of this period." His book certainly provides the information which makes for this "clearer understanding." In another statement in the preface he says that while assembling his data he "was amazed and pleased to find fundamental order underlying chaos and to discover purpose in confusion." Again it may be said that the book presents in a logical and scholarly fashion material in support of the contention that the rôle which cotton played gave fundamental order and purpose to Confederate diplomacy. To prove that "the diplomatic efforts of the Confederacy were directed primarily toward obtaining European intervention in the war," a vast array of facts gleaned from the activities of Confederate agents and European diplomats as revealed in their correspondence is presented. The desired end of obtaining European intervention was the independence of the Confederacy, no matter whether intervention came through repudiation of the blockade, mediation, or recognition.

The first two chapters on the foundation of Confederate diplomacy are excellently done. They trace the development of the King Cotton philosophy under the leadership of Christy, Hammond, De Bow, and other men, and explain the attempt at economic coercion over Great Britain and France through a discussion of the embargo of 1861–1862 and the reduction of the cotton supply by burning. "Cotton is king," shortened into King Cotton, became the magic charm by which the Southern leaders and many of their followers believed they could accomplish almost anything, certainly Southern independence. The great powers, England and France, would have to submit to the authority of King Cotton. The South's embargo on cotton was not used to make the enforcement of the Union blockade easier but to whet the appetite of English and French cotton manufacturers. When the embargo failed, the plan was resorted to of reducing the cotton supply by burning what was on hand and by drastically curtailing the cultivation of the staple crop.

Lack of space forbids the further detailed review of the book, but I may point out, choosing from the remaining chapters with deliberation, that the third chapter discusses the Yancey-Rost-Mann mission to England and France as the first envoys of the cotton kingdom, the seventh presents Mason and Slidell's first attack on the legality of the blockade, the tenth deals with the formal demands for recognition, the twelfth shows how Confederate finances abroad were based on the King Cotton philosophy, and the nineteenth explains why Europe did not intervene. All in all the book is well done and enriches the literature on the civil war period of American history.

R. L. Biesele.

The University of Texas.

Wuorinen, John H., *The Prohibition Experiment in Finland.* (New York: Columbia University Press, 1931, pp. x, 251.)

The purpose of the writer is to give to the American public a rather complete statement of facts relative to the prohibition experiment in Finland. The book is a factual rather than an interpretative study. The inclusion

of forty-three statistical charts and tables with their explanations indicates its factual nature. Such phases of the subject as the evolution of prohibition in Finland, the statutory basis of Finnish prohibition, prohibition parties and organizations, and the international aspect of the prohibition problem are considered.

In many respects the last chapter entitled "The Outlook" is the best part of the book. In this chapter Mr. Wuorinen gives an excellent description of Finnish prohibition as it existed in 1930. He points out in an interpretative manner the intense struggle which was going on between the friends and foes of prohibition, and indicates in a prophetic manner that these clashes "are likely to lead to a national vote on prohibition." But the author's prophecies are not always so accurate for he says in another connection, "it seems the present law is reasonably safe. The parties which insist upon its retention obtained 142 out of 200 seats in the 1929 election. This represents a percentage of 71." The recent election changed this 71 per cent of legislative supporters to 71 per cent of popular dissenters. One wonders if a similar discrepancy in popular and legislative wills exists in the United States.

The author does not attempt to draw comparisons between the Finnish and American systems of prohibition. But his clear-cut description of the Finnish system enables the American reader to make his own comparisons. Many of our problems are similar, many are wholly unlike. Probably the systems are more unlike than are the natures of the two peoples. The Finnish system would seem rather mild to most Americans, and the American system would seem rather complex to most Finns. International complications furnished the chief embarrassment for the Finnish enforcement officials. The American federal system of government has furnished no end of trouble to our national experiment. The book is well worth while to any one who wishes to understand our own "experiment" better. In the light of recent happenings in Finland, the American reader could profit by reading the book with a new title, "The Prohibition Experiment in Finland: *Why it Failed.*"

S. B. McALISTER.

North Texas State Teachers College.

Nichols, Roy Franklin, *Franklin Pierce.* (Philadelphia: The University of Pennsylvania Press, 1931, pp. xvii, 615.)

For some unaccountable reason, Franklin Pierce did not attract the attention of biographical experts. Several of his contemporaries, and especially those who were active in the Sixties, have been duly honored and their public careers interpreted for future generations. Pierce remained almost unnoticed for sixty years after his death. His fateful administration was regarded as the beginning of an unfortunate debacle.

In testing the traditional estimate of Pierce, Professor Nichols has faithfully recorded and explained the various influences in the education of Pierce. Born in a political atmosphere, the future fourteenth President showed no hesitancy at all in following the natural professsion of the New Hampshire hills. In the state legislature in his early twenties, Pierce capitalized materially upon the political position of his father, the old Revolutionary War hero who was several times governor of New Hampshire. Young Pierce was then elected to the national House of Representatives and,

at thirty-three, was an United States Senator. His Washington record for this period reveals no startling capacity in the "Young Hickory." There were few who then regarded him as future presidential timber. It took the Mexican war and a successful regime as the Democratic boss of New Hampshire to impress the national leaders.

The author maintains that Pierce was only fortuitously made President. The deadlock of the Baltimore convention was dissipated only by the selection of him, a more than typical dark horse. With the perspective of a faithful politician, he failed to grasp the fundamental changes that had, since "Old Hickory's" time, taken place in American political thinking. Pierce never realized the schmismatic development of sectionalism, the irrepressible nature of the conflict over slavery, nor that the American populace might not be marshalled again into one grand political army by reiterating the glorious achievements of the fathers of the country. In many ways, Pierce is a pitiful figure, like Mrs. Partington, trying to stop the onrush of the tide with an ineffectual broom. But worse, he never seemed to realize that the job could not be accomplished with the implement at hand. He passes out of the political picture, a tired, worn, but still illusioned man, as firm as ever in his belief that the Jeffersonian primer was the only safe guide for American political conduct.

One cannot but compliment the author upon this painstaking study and upon the sustained excellence of the work. There is scarcely a dull page in the six hundred, and, though he does not substantially change the older estimate of Pierce, he, at least, gives much material that tends to verify it.

CORTEZ A. M. EWING.

University of Oklahoma.

Thompson, Edward, *Reconstructing India.* (New York: The Dial Press, 1930, pp. xii, 404.)

In these days when the problem of India is the subject of discussion on every hand, and when the acuteness of the problem apparently increases hourly, one casts about in the vast literature of the subject for an analysis of India which will provide the background for an understanding of the present situation. The student, of course, consults divers sources, but the casual reader must be content with a summary statement of the principal facts of Indian history and politics, with perhaps an evaluation of recent events and attitudes.

It is precisely such a summary which Professor Thompson has presented under the title *Reconstructing India.* His book devotes more than 200 pages to a survey of Indian history, with particular reference to the Nationalist movement; some 80 pages go to a consideration of some political aspects of the problem (the Princes and their position, defense, and communal divisions); and almost 80 more deal with its "practical" phases. The book makes no pretense to heavy scholarship, but it does aspire to impartiality and honesty, and in these respects the author has not set his ambitions too high. If he is critical of such Indian spokesmen as Mahatma Gandhi and his disciples, he is no less critical of the English Imperialists who would deal with the Nationalists with a heavy hand; and if he concludes that India is not ready for self-government, he insists at the same time that she must be given her promised (and expected) dominion status.

The book furthermore is well written—so well written, indeed, where the author has done his own composing, that the reader wishes he had undertaken to use his own words throughout, instead of interspersing numerous quotations which do not add to the authority of the text and which do interfere with the evenness of both the thought and the appearance of the page. The seasoned student of Indian affairs will find little new in the book, though he may be intrigued by some of the author's attitudes and interpretations. The layman, however, will find the work a satisfactory account of how India came to be where she is, and will peruse it with pleasure and profit. The appendices (dealing with the government of the country, the Simon Report, and political events of importance) will be found helpful, and the index, if not exhaustive, nevertheless adequate.

ROSCOE C. MARTIN.

The University of Texas.

Fairlie, John A. and Kneier, Charles Mayard, *County Government and Administration.* (New York: The Century Co., 1930, pp. xiii, 585.)

The attention of students of government in recent years has been directed more and more to a critical examination of the organization and functioning of the governments of local areas. The importance of these local areas in the governmental scheme can hardly be overestimated. For the past three decades the municipal corporation, or city, has received, on the whole, adequate examination and adequate treatment in surveys, textbooks, and the like. But the county has in general been neglected until the past few years, even though its importance as an area of local government was rarely denied. From time to time since the beginning of the present century books have been written in which county government received special attention, but there was a great need for a comprehensive book which would survey within the compass of a single volume, not only the historical development and present organization of county government and administration, but also the significant governmental trends which are evident in this field at the present time. This book meets the present need. Divided into five parts, this book treats successively the historical development of local institutions, county and state relations, the organization of county government, county administration, and special problems connected with county government and the internal divisions of the county. An extensive bibliography and a table of judicial decisions cited add to the value of the book. In a book of this nature, attempting to cover a broad governmental fieldi there are naturally questions of emphasis, subject matter, and proportion which arise that bring forth criticisms from those who hold different points of view. For instance, a too legalistic approach to certain matters discussed might be displeasing to some. However, the book as a whole is a scholarly one, well-written and adequate in its presentation, and well-suited as a text in courses paying special attention to county government and administration.

J. A. BURDINE.

The University of Texas.

Morris, William Alfred, *The Constitutional History of England to 1216.* (New York: The Macmillan Company, 1930, pp. xii, 430.)

The teachers of English constitutional history will be grateful to Professor Morris for this excellent volume on the Anglo-Saxon, Norman, and early Angevin political institutions and constitutional ideas and practice. The book is the result, not only of many years of research in the field, but also of many years of teaching of the subject. It is dedicated to the author's "classes in constitutional history, 1908–1929."

The need of a thorough revision of Stubb's *Constitutional History* on the basis of the results of more recent investigations in the field has been apparent for a long time. Many of Stubbs' conclusions have had to be modified or abandoned as a result of the use of new materials or new interpretations of the old by Vinagradoff, Haskins, Tout, Adams, Maitland, Liebermann, Jenks, and others. Professor Morris has undertaken the task of "weighing and integrating the results already attained" for the purpose of simplifying the work of the teacher and making available for the student in one volume the revised conception of the early English constitution.

The book is divided into four parts. Part I deals with the sources of the English constitution, the process of its growth and its Germanic origin; Part II discuss the Anglo-Saxon foundations; Part III describes the Norman Monarchy and Norman institutional innovations; and Part IV presents the administrative and constitutional development under the Angevins to the death of King John 1216. The work is concluded with an excellent index. Each part, excepting the first, is introduced by a brief summary of the chief political developments of the period covered. Each of the sixteen chapters is concluded by a brief critical discussion of the principal source, both primary and secondary. These bibliographical comments, in the opinion of the reviewer, constitute one of the most valuable features of the book. In these bibliographical lists Professor Morris has deliberately omitted many titles on the ground that "beginners need to be directed to the better books rather than to be given wide bibliographical information." Whenever there is a difference of opinion among scholars, Professor Morris presents the conflicting views and usually his own conclusions.

Professor Morris has produced a clear, readable, and teachable text incorporating the results of the most recent research. The chapters on Anglo-Saxon Local Government, the Norman Administrative System and the Specialization of the Lesser Curia, and the Angevin Great and Small Council should be of value to the general reader as well as the student in understanding certain important but more or less complicated institutional developments. It is to be hoped that the author will continue this text with a second volume carrying the subject forward to 1485.

MILTON R. GUTSCH.

The University of Texas.

Gewehr, Wesley M., *Rise of Nationalism in the Balkans, 1800–1930.* (New York: Henry Holt and Company, New York, 1931, pp. xi, 137.)

This small volume is one of the series called *The Berkshire Studies in European History.* The volume is designed for a week's reading for the student who wishes a general view of the Balkans without too much specialized and technical details. The purpose is admirably fulfilled.

The history of the Balkan States is outlined clearly, simply, and accurately. A brief introductory chapter sketches the geographic and racial background. The attendant problems both before and since the Great War are broadly indicated, and the way is opened to the student desiring to make a greater and more detailed study of these problems.

The brevity of this work would indicate a mere enumeration of facts, but the author has succeeded in clothing the facts with enough interpretive discussion to prevent any charge of dullness. A very excellent chronological chart showing the comparative development of Greece, Roumania, Bulgaria, Turkey, and Albania is included. A logically arranged bibliography of the leading works on the Balkans is given, and the volume is well indexed. This study is to be highly recommended to any one wishing a general, very brief, well written sketch of the Balkans. CORAL H. TULLIS.

The University of Texas.

BOOK NOTES

Farm Children, an Investigation of Rural Child Life in Selected Areas of Iowa, by Bird T. Baldwin, Eva A. Fullmore, and Laura Hadley (D. Appleton and Co., 1930), is a summary of the results of a project of the Iowa Child Welfare Research Station. The authors themselves term the study "an adventure in research." The most remarkable feature of the adventure is its scope, for no factor which might affect the welfare of farm children is omitted from consideration, though some factors are dealt with more thoroughly and more ably than others. The principal interest is in the technique, for the findings cannot be taken as applicable to more than the Middle Western Section and they may be applicable to only a part of that section. Conclusions as to their value for other districts than those considered must wait upon similar studies for other areas. The field of the investigation consists of two widely separated districts in Iowa, one having a one-teacher school and the other a consolidated school. The children are considered in three classes, pre-school, one-room, and consolidated school. Upon completion of the survey, very little is unknown which might be found out by any known technique of investigation. An astounding mass of data is collected, but one rather wonders to what purpose? The reviewer wonders also whether the very mass of the material and the number of subjects covered does not conceal items which might be of interest to the individual and only the rare reader will be interested in all phases of the study. But only these wonderings are questions, for in the very incomplete and unsettled knowledge of the desirable techniques for use in research in the social sciences, any adventures and suggestions are welcome. The comparison of the children based upon the access to school advantages as typified in the one-room versus the consolidated district school is perhaps the most interesting general finding of the study. R. A. A.

C. C. North in *The Community and Social Welfare* (New York: McGraw-Hill, 1931, pp. vii, 359, has given us a volume of eleven chapters dealing with the welfare phase of community life. Starting with the city as a community, the author discusses public and private agencies, the school as a welfare agency, the sectarian organization of social work, programs

for needy families, adult dependents, children, health, leisure time activities, social work among negroes, the community fund movement, and finally the community program. The illustrative cases included in the various chapters are exceedingly enlightening as to the welfare work in our larger cities. This work had its inception in 1919 and 1920 when the author began to offer what seems to have been the first academic course given under the title of community organization and reached its completion through a grant from the Social Research Council. In addition to summing up the essentials of community organization work, the volume presents a number of carefully constructed programs, and in its final chapter discusses the weakness of community social work. Professor North strongly advocates a social survey and an appreciative understanding of the individual community in relation to other communities, planning of an adequate welfare program, and promoting it without resorting to emotional appeals. Each individual agency should develop a technique appropriate to its special type of work and grow in mutual trust and confidence of other social agencies, if community welfare is to bring maximum returns. Students of social problems, social workers, and civic minded citizens will find *The Community and Social Welfare* well worth reading and studying. H. G. D. and W. D.

Dr. Franz Adler, *Privatdozent* of the German University of Prague, has shown by his several works in the field of constitutional law his ability to analyze and characterize fundamentals, especially in the fields of Czechoslovakian Constitutional Law. His *Grundriss des Tseschechoslowakiscken Verfassungsrechtes*, (Reichenberg [Liberec], Czechoslovakia, 1930, Verlag von Gebrüder Stiepel Ges. M. H. G., pp. 126) follows the divisions of the Czechoslovak Constitution, and the author compares most ably the theory of this Constitution with the practice and application of it. In this task he succeeds fully, and his exhaustive treatment is the most welcome addition to few works published in this country, which without exception deal solely with the theory. Several minor statements of the author are, however, open to correction. Thus, for example, his comparison of the powers of the Czechoslovakian President to those of the French President is doubtful. While the Czechoslovakian President has a more effective right of veto and can dissolve both Houses, he is constitutionally no stronger. Should, however, Adler consider the political importance of the Presidents of both States, which he does not, then the situation would be quite different. A short critical bibliographical summary is included. The work is invaluable for the student of comparative government (if he can read the language) and of the new Constitutions of Central Europe. J. S. R.

In January, 1929, a National Committee on Municipal Reporting was organized. The committee, which included representatives from the American Municipal Association, the Governmental Research Association, the International City Managers' Association, and the National Municipal League, conducted a coöperative study of municipal reporting for two years, and early in 1931 its labors came to an end with the publication by the Municipal Administration Service of *Public Reporting*, which embodies the findings and the recommendations of the committee. The report fills a volume of one hundred and fifty pages which are apportioned unequally among three

parts. Part I deals with "The Preparation of Public Reports," and herein are discussed the nature and the importance of the reporting function and the methods of reporting. Part II contains a "Suggested Outline for the Annual Report;" and Part III, the bulk of the volume, includes recommendations for departmental and functional reports. The committee has been unsparing in its efforts to conduct an objective study which would lead to reasoned conclusions, and the result of its labors is a series of recommendations embodied in what may be considered a handbook, and an excellent one, which will be indispensable to all municipal officials and valuable to any one desiring to understand the function of public reporting. R. C. M.

Philip G. Wright's *The Cuban Situation: and Our Treaty Relations* (Washington, D. C.: The Brookings Institution, 1931, pp. xiv, 207) is a convincing discussion, plainly told and substantially illustrated with charts and graphs, of the precarious economic position of a one-crop country. Cuba is today in a state of collapse because of the failure of the sugar market. The national economy of the island republic is based on sugar. Twenty per cent of Cuba's entire territory is devoted to sugar, and this commodity alone constitutes four-fifths of the total exports. Consequently, as the saying goes, "In sugar has been found the basis of Cuba's prosperity and resiliency from disaster; in sugar is also found her Achilles heel." The author brings the Cuban problem home to us by showing how our treaty relations and tariff policy, in conjunction with certain world forces, contributed to the enormous growth of the industry and its present collapse. He is inclined, however, to be very sparing in his criticism of American policy. The only remedy he suggests for Cuba's travail is the very sensible one of crop diversification. J. L. M.

The International Institute of Agriculture (Berkeley: University of California Press, 1931, pp. xi, 356) by Asher Hobson, is Volume II of the University of California Publications in International Relations. As the subtitle states, it is an historical and critical analysis of the organization, activities, and policies of administration of the Institute. It is a well-written and well-documented study not only in its historical and analytical chapters but also, and more particularly, in the clear, courageous manner in which the author describes and explains the failures and defects of the organization. The chief difficulties seem to be internal maladministration and disharmony, overweening control by the Italian government, and lack of genuine interest on the part of member states. Until these difficulties are removed, the Institute will continue to be a glaring illustration of an international organization possessing many and great, but unrealized, opportunities for useful service. One might venture even further and suggest the advisability of putting the Institute under the League, or, even better, destroying it altogether and creating an effective League organization to do its work. C. T.

Houdon in America (Baltimore: The Johns Hopkins Press, 1930, pp. xxvi, 51), edited by Gilbert Chinard, is a collection of letters, documents, and memoranda that bear distinctly upon the work of Houdon, the French sculptor, in America. It contains the resolutions of the Virginia assembly

concerning the procuring of a statue of Washington and a bust of Lafayette; it includes letters written by Washington, Jefferson, Crèvecoeur, Harrison, Clouet, John Adams, Patrick Henry, Franklin, Madison, Monroe, Gouverneur Morris, and others who were charged at various times with the business of making arrangements for the sculpture; there is added an excerpt from Washington's diary describing his part in the making of the first mask or model for the statue; and also, there are Houdon's letters and memoranda concerning the work and his receipts for his commission, which, unhappily, were long overdue before they were paid. Some of the letters are interesting in that they reveal the characters of early leaders of the country. The title is slightly misleading, in that it treats little of Houdon, and more of the politicians involved. The short introduction is by Francis Henry Taylor, curator of the Pennsylvania Museum of Art and of the Rodin Museum, Philadelphia. I. A.

To meet the need of those universities and colleges who must compress their study of American city government and administration within a single term Thomas Y. Crowell Company has issued *A Short Course in American City Government* by Austin F. MacDonald. The book is an abridgement of the same author's text, *American City Government and Administration*. The first nineteen chapters dealing with city-state relations, forms of city government, municipal politics, the merit system, and municipal revenues and expenditures have been republished without change. More technical chapters found in the earlier volume on planning and zoning, streets and street lighting, police and fire systems, traffic, education and recreation, charities and correction, health and housing, sanitation and water supply, and public utility regulation have been omitted. For those who can devote only a brief time to a survey of American municipal government the volume makes a satisfactory text. F. M. S.

It has become a truism that the "Russian experiment" is almost if not quite as significant for its efforts to mould a new Russian character as for the more readily perceived material innovations sponsored by its engineers. In his book called *Making Bolsheviks* (The University of Chicago Press, 1931), Prof. Samuel N. Harper summarizes the methods employed in the forging of the new character under the categories "The Communist Party-Worker," "The Young Communist," "The Shock-Brigade Workman," "The Collectivist Peasant," "The Soviet Cultural-Worker," and "The Red-armyist." The reader will find that, as always, Prof. Harper has written with knowledge and understanding of his subject, and that he has produced a book which, despite its limitations as to space, utilizes its 160 pages to present an excellent picture of a most interesting phase of communist activities. R. C. M.

Paul S. Taylor's *Mexican Labor in the United States, Bethlehem, Pennsylvania* (University of California, Publications in Economics, 1931), taken with the studies of this series already published, gives material for comparison and contrast of the situation of and the reaction to the Mexican immigrant in an industrial community and in rural surroundings. It is to be hoped that Mr. Taylor will, when he has completed his investigation,

give us his mature judgment based upon general conclusions. The individual reports give a valuable background for a determination of factors and tendencies which should add to our understanding of the meaning and consequences of the flow of Mexican immigration. R. A. A.

The efforts of the British Governments during the past few years to encourage British emigration to the overseas Empire give added value and interest to Fred H. Hitchins' *The Colonial and Emigration Commission* (Philadelphia: University of Pennsylvania Press, 1931, pp. xviii, 344). It is a study of British state-assisted emigration from 1840 to 1878. The approach is from the point of view of governmental policies and actual processes. Statistical tables in the appendices enhance the value of the volume, which is the result of a painstaking study of much primary and secondary material. C. T.

In order to commemorate fifty years of the existence of the political science faculty of Columbia University, Professor Howard Lee McBain has assembled and edited *A Bibliography of the Faculty of Political Science of Columbia University 1880–1930* (New York: Columbia University Press, 1931, pp. xi, 366). This bibliography does not, as the editor deprecates, give anything of the history of this group; it represents only "a stark list of titles of the books, articles, and pamphlets of their authorhood." Sixty-three teachers, including many of the foremost social scientists that America has produced, have been members of that faculty during this fifty-year period. It represents a fine record in scholarship in the social sciences.

C. A. M. E.

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